



Medieval History and Archaeology

ANGLO-SAXON DEVIANT BURIAL CUSTOMS

Andrew Reynolds

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Anglo-Saxon Deviant Burial Customs

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ANDREW REYNOLDS

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To my mother and father

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Preface and Acknowledgements

A large number of individuals and institutions have contributed to the writing of this book. The project began life as Ph.D research at the Institute of Archaeology, University College London, successfully concluded in 1998 with the support of a three-year studentship from the British Academy. The Ph.D was supervised with great care and judicious direction by James Graham-Campbell, initially a great teacher, now a great friend. Martin Carver and Wendy Davies examined the thesis, and I have benefited from knowing them both in so many ways.

This book is offered as a new perspective on a neglected aspect of Anglo-Saxon society. Burial evidence of the period is much studied, yet this volume differs significantly from what has gone before in that an attempt is made to chart how social others were treated in a society that developed from one organized apparently at community level to that of a complex nation state. Early Anglo-Saxon communities of the fifth to seventh centuries applied a variety of burial rites to those who were apparently regarded as social others, and this material has much to add to our understanding of developing modes of dealing with social outcasts both during the process of kingdom-formation and later in Middle and Late Anglo-Saxon England. This research has revealed a high degree of complexity amongst the archaeological material, and several broader strands are pursued here, not least the poorly understood, but remarkably varied, patterns of burial apparent in the landscape of Christian Anglo-Saxon England.

The approach taken throughout is interdisciplinary, and it is intended that there will be material of interest to archaeologists working on burial, landscapes, social meaning, and perception and to historians of state-formation and legal and social history who have studied similar topics from different perspectives. There is much of interest, I think, to anthropologists also, but limitations of space have precluded pursuing cross-cultural and cross-chronological avenues of research.

With hindsight, to have published the thesis immediately after examination would have been an unfortunate course of action, not least because so much new, and especially scientifically dated, information has come to light since to necessitate complete revision of the Ph.D. Completion of this book therefore required extensive new research, facilitated by a year of study leave 2002–3 funded by King Alfred's College, Winchester, and the former Arts and Humanities Research Board under their Research Leave Scheme. As an archaeologist, I have benefited immeasurably from the responses to various seminar papers

I have given over the years, in particular in the company of historians at the Institute of Historical Research in London and the Department of Medieval History in St Andrews, among others.

For providing information, assistance, and for discussion during the preparation of my Ph.D thesis and ultimately the present book, I should like to extend my warmest thanks to Mary Alexander, Michael Allen, Maureen Bennell, John Bleach, Stuart Brookes, Don Brothwell, Jo Buckberry, Martin Carver, Craig Cessford, Annia Cherryson, Judie English, Helen Geake, Dawn Hadley, Alan Hardy, David Hill, Robin Holgate, John Hudson, Joy Jenkyns, Stuart Laidlaw, Alex Langlands, Paul McCulloch, Audrey Meaney, Richard Mortimer, Gabriel Pepper, Tim Pestell, Rob Poulton, Jeanette Ratcliffe, Richard Reece, Jane Roberts, Andrew Rogerson, Nesta Rooke, Edwin Rose, Jane Sidell, Nick Stoodley, Ruth Taylor, Chris Tod, Martin Welch, John B. Weller, Sally White, Christopher Whittick, and Howard Williams.

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This book is dedicated to my parents, but especial mention should be made of those who have lived with its gestation—Elizabeth, Jacob, and Sarah. My mother, in particular, encouraged my interest in archaeology as a child in many ways, not least with a copy of Eric Woods's *Collins Field Guide to Archaeology* as a Christmas present in 1977; it has served me well.

A.R.

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Abbreviations

B+T	Bosworth and Toller 1898
HE	Bede's Ecclesiastical History (Colgrave and Mynors 1969)
OE	Old English
S	Sawyer 1968 Cat. No.

Abbreviations relating to citing of law codes with regnal dates

Abt	Æthelberht (580 × 93–616 × 18)
H&E	Hlothere (673–85) and Eadric (685–6)
W	Wihtred (690–725)
I	Ine (688–726)
A&G	Alfred (871–99) and Guthrum
Alf	Alfred
Edw	Edward (899–925)
E&G	Edward and Guthrum (a late tenth-century text: see Appendix 1)
As	Æthelstan (925–39)
Edm	Edmund (939–46)
Edg	Edgar (959–75)
Ath	Æthelred (979–1016)
C	Cnut (1016–35)

Proc—C proclamation of 1020

Pre—preamble

1

Sources, approaches, and contexts

... they drove iron pins into an effigy of Wulfstan's father Ælfsige. And it was detected and the murderous instrument dragged from her chamber; and the woman was seized, and drowned at London Bridge, and her son escaped and became an outlaw.

(S1377)

INTRODUCTION

This extraordinary passage, written down sometime between the years 963 and 975, relates a Northamptonshire widow's execution and forfeiture of her lands on account of witchcraft (S1377; Davies 1989). Although well into the Christian period in Anglo-Saxon England, the nature of the offence committed relates to a world of magic and superstitious folk practice potentially with pre-Christian origins, but one which was very much still alive at the end of our period. Although the final resting-place of the so-called Ailsworth widow is unknown, there is evidence from across the Anglo-Saxon period from a variety of sources that facilitates a reconstruction of modes of burial for individuals deemed social outcasts and even feared among the living for their malevolent qualities.

In the pre-Christian centuries Early Anglo-Saxon communities arguably marked the burials of people considered somehow different, and perhaps dangerous to the living, in distinctive ways, and certain of these locally determined but widely understood modes of treating social 'others' can be observed to continue until the nineteenth century in England. A further argument of this book is that it is possible to observe a gradual process whereby local practices for marking out wrongdoers and others of whom their peers were wary came under the increasing influence of emerging political authorities, namely kings and their councillors. By the tenth century Anglo-Saxon kings operated a fearsome judicial system, although, as archaeology shows, places of execution would have been an everyday sight for both town- and country-dwellers from a much earlier period.

Despite the existence of an extensive body of written evidence relating to Anglo-Saxon judicial affairs, the archaeological dimension has remained

without overview in terms of the unique perspective that it provides of the physical realities of the machinery of judicial practice of the Anglo-Saxon state and its predecessors. Indeed, there are few topics guaranteed to generate a reaction or an opinion as surely as that of capital punishment. State-sponsored murder has long held a macabre fascination for the popular imagination, but its origins are obscure, despite the fact that the Anglo-Saxon state is not only the longest-surviving institution of its type in the world, but also one of the best documented. This book, therefore, is offered as the first attempt at a comprehensive study of the archaeological evidence for English judicial activity.

Clearly, mechanisms of social control and modes of marking outcast status were not entirely new to the period of the formation of Early Anglo-Saxon kingdoms and its aftermath. This book also attempts, therefore, to examine the complex and varied evidence for social regulation and social attitudes from the shadowy fifth to seventh centuries, and the community cemeteries of the period. Difficulties abound when trying to equate the possible motivations of unusual or deviant burial practices found in pre-Christian cemeteries to identical rites in the context of separate cemeteries for the socially excluded found from the seventh and eighth centuries onwards. The so-called Sacral Penal Theory advanced by Karl von Amira proposed that early Germanic judicial activity was composed of two strands: the death penalty constituted a sacrifice of the offender to the gods, whilst non-capital offences were seen as the concern of secular authority (Amira 1922, 64; *Germania* caps. 7 and 12). This view has been severely criticized, partly because of its uncritical use of documentary sources of widespread provenance and chronological range, but partly, also, for the lack of contemporary evidence for the origins and early development of Germanic penal practice (Ström 1942, 26). Folke Ström (*ibid.*) considered Amira's assumption, based on Tacitus' *Germania*, that the gods delivered moral judgements to be unfounded, while Hilda Ellis Davidson has noted that the normal punishments recorded by Tacitus are fines and outlawry (Ellis Davidson 1992, 333), the principal penalties prescribed in the Anglo-Saxon laws of seventh century and later date.

Overall, both Amira and Ström were limited by their narrow choice of source material and their over-expansive geographical coverage, and the projection of concepts of social control over considerable cultural, geographical, and chronological frameworks is at best a hazardous exercise. Moreover, recent studies have identified the nationalist and racist perspectives of Amira's thesis, while Mitchell Merback notes that Christian theology will have obscured any 'pagan' meaning to punitive ritual in written sources (Evans 1996, 3–7; Merback 1999, 141).

Historians have placed significant emphasis on the reign of King Alfred and his successors in the formation of the English state (Campbell 1975; Harding 1973; Wormald 1999). While there is no dispute with the view that

innovation and formalization of judicial arrangements occurred from that time, archaeology suggests a much greater degree of formalized practice from the seventh and eighth centuries than has been formerly suspected, although, interestingly, James Campbell argued in an important paper that the background to the institutions of the Late Anglo-Saxon state may indeed be very ancient, perhaps as early as the Roman period, if not earlier (Campbell 1994). Archaeological evidence allows for a more focused chronological perspective where documents are few or silent on the matter in hand, and for hypotheses such as Campbell's to be tested against hard evidence. While legal texts and related documents of the Anglo-Saxon period provide a rich and relatively substantial resource, they are sketchy on matters of procedure as it worked on the ground, virtually silent about the physical attributes and landscape setting of judicial practice, and entirely mute with regard to pre-Christian practice. A long-recognized difficulty posed by the written evidence lies in distinguishing age-old motif and political ideal in written sources, which might bear little relation to the contemporary scene in which they were produced. Little has been done to attempt to correlate historical narrative with archaeological material so as to develop an understanding of the intent evident in early law codes. Indeed, the greatest difficulty with the earliest law codes is establishing to what degree their prescriptions were translated into judicial events and to what extent, if any, they reflect earlier customary practice.

In the last twenty years scholars of the early medieval period throughout Europe have turned increasingly to questions of state formation and the origins of kingdoms, with particular regard to the internal structures of formative states (cf. Ausenda 1995; Dickinson and Griffiths 1999; Dickinson 1999, p. vii; Brandes and Haldon 2000). In Anglo-Saxon studies a concentration on these themes has produced a series of publications concerned with the various forms of evidence for the existence and development of a complex society from the shadowy territories of the sixth and seventh centuries to the fully formed nation state of Late Anglo-Saxon England (Arnold 1988; Bassett 1989; Brooks 2000; Campbell 2000; Carver 1989; Hodges 1989; Reynolds 1999; Scull 1993; Williams, A. 1999; Yorke 1990; 1995). Prior to these studies, the work of Martin Biddle and David Hill had brought a sharp focus to the potential of a combined study of archaeological and historical sources in relation to state formation in their work on the Burghal Hidage and the thirty-three settlements it describes (Hill 1969; Biddle and Hill 1971; Biddle 1976*a*; Hill and Rumble 1996). It is well known that the correlation between documented ideal and topographical reality is, in some instances, a close one, and urban studies have been foremost amongst attempts to reconstruct the administrative structure of early England using varied forms of evidence.

Other aspects of governance for which there is an archaeological dimension but which are largely unexplored include, for example, civil defence in the localities, overland communications, and public assembly, although recent

documentary and place-name studies have addressed hundred meeting-places and aspects of local civil defence (Cox 1994; Hill and Sharpe 1997; Meaney 1997; Pantos 2003; Reynolds 1999). Efforts have focused instead on the growth and role of urban centres (Haslam 1984; Hill 1988) as places of organized authority, with much less attention devoted to provincial systems of administration (although see e.g. Foard 1985). The archaeological material considered in this study is found both in the countryside and at the margins of urban centres, and thus an attempt is made here to examine, from the late seventh and eighth centuries onwards, the Anglo-Saxon 'experience' of justice in both countryside and town. Given that a substantial body of the material presented in the book is argued to be related to judicial activity, an outline of the system and its development as understood from written evidence is provided below.

In a wide-ranging discussion about the archaeology of governance, Bruce Trigger (1974, 97) observed that 'correlations between political organization and material culture...are needed to interpret archaeological cultures that lack written documentation'. In historical archaeology the emphasis must be extended to take account of the ability of archaeology to challenge written narratives and to play an active and central role in the interpretation of social systems. It is very much in this spirit that the present volume is offered.

THE SCOPE OF THIS BOOK

During the fifth and sixth centuries the appearance of Anglo-Saxon material culture in southern and eastern England marks a cultural watershed from which the re-emergence of a complex society can be charted from the apparent administrative vacuum left by the breakdown of Roman rule. The present study begins in this formative period and ends in the twelfth century, when significant changes in the way that executed offenders were treated can be observed, and by which time documents form the bulk of the available evidence rather than just a facet.

Models for the origins and development of Anglo-Saxon execution sites are proposed, with particular attention paid to the development of geographically distinct places of execution and burial during the seventh and eighth centuries, in contrast to the long-established tradition of all-encompassing burial grounds of the pagan period. Indeed, changing social attitudes can be inferred from the evidence, and an attempt is made to integrate the results into the wider context of Anglo-Saxon research themes. Cemetery studies concerned with the pre-Christian period have dominated research into Anglo-Saxon burial customs, yet little attempt has been made to examine patterns and processes either side of the Conversion, as opposed to during it, as part of a unified study. Relatively recent attention to Christian-period burial customs largely in

the context of burials in consecrated cemeteries has left a hazy view of how the later Anglo-Saxons responded to the need to distinguish between what we might term 'members' and 'others' in society. This book thus attempts to provide a long-term view and to bring a degree of coherence to what is highly varied evidence. This is a first attempt at assembling a body of archaeological data from which to address the various themes in this study, and it would be foolish to claim that it is either exhaustive or definitive. It is hoped, however, that the majority of deviant burials from Early Anglo-Saxon cemeteries and all of the major excavated execution cemeteries of the later Anglo-Saxon period have been included, and that a near-complete list of data from charter bounds has been achieved. On the other hand, material relating to isolated or undated burials is far from complete, owing largely to the substantial volume of data available. In respect to the latter, the intention has been to reference well-dated examples of deviant burials and to provide a classification for others to either substantiate or amend in the light of further research.

There is a clear danger of assuming a direct correlation between deviant burials from Early Anglo-Saxon cemeteries and those from the spatially distinct Christian-period outcast cemeteries and other landscape contexts. This said, only archaeology reveals evidence for deviant burials in the pre-Christian period, and many of the individual rites, such as prone burial, and spatial aspects, for example burial at the margins of a community cemetery, are concepts which are exploited and developed, more or less explicitly, during the Christian period.

The geographical limit of this study is England. Beyond limited references to published continental and other parallels, no attempt has been made to explore the development of judicial organization in north-western Europe, nor in Wales and the west, but it is hoped that certain of the approaches developed in this book might provide frameworks for future research in those regions.

THE STRUCTURE OF THIS BOOK

The book is structured in such a way that the archaeological evidence is categorized according to its chronological context, with an assessment of the evidence for deviant burial from furnished inhumation cemeteries of the fifth to seventh centuries preceding that from the rather better-defined execution cemeteries, and additional categories of inhumation burial, belonging to the seventh to eleventh centuries. The charter material is considered separately again, but it is mediated with the archaeological evidence through the independently documented later Anglo-Saxon historical geography provided by the Domesday survey.

The present chapter includes a summary of the structure and operation of the Anglo-Saxon judicial system, largely through the law codes issued by kings

and their councils. Such an outline is necessary for the non-specialist, and also as a statement of current thinking from the perspective of the written evidence. That said, what is offered is indeed a summary and makes no claim to be otherwise. Throughout the book the laws and other documents are cited where they have a direct bearing on the interpretation of archaeological material, for example, the development of concepts of burial in unconsecrated ground. In addition, Anglo-Saxon poetic and prose sources provide a series of vignettes about the nature of executions and other aspects of deviant burial that have a bearing on our understanding of the sites where outcasts and felons were buried, among other aspects of the judicial process.

The discovery of human remains interred in an unorthodox fashion has a long history in early medieval archaeology, and Chapter 2 explores how interpretations of such material have developed since the nineteenth century. While there are clear reflections of the changing nature of archaeological thinking, one of the fundamental aspects of the chapter is to demonstrate how evidence relating to our topic has remained for the greater part hidden in a mist of uncritical interpretation, created in part by a lack of definitions.

Burial evidence from the fifth to the seventh centuries is examined in Chapter 3, which considers the identification and classification of deviant burial types and a range of possible explanations for that evidence. After setting out the Early Anglo-Saxon background, the various burial customs employed at execution cemeteries in the Christian centuries are elaborated upon in Chapter 4. Issues of characterization are foremost amongst the interpretative problems, and an attempt is made in Chapter 4 to provide a clear statement of the various attributes by which an otherwise undated cemetery might be classified as a site of execution or deviant burial of the early middle ages by comparison with well-dated evidence elsewhere.

The placing of deviant burials in the landscape is the focus of Chapter 5, which begins with an analysis of the spatial patterning of deviant burials in Early Anglo-Saxon community cemeteries. A range of further categories of non-normative burials of seventh-century and later date is then advanced. The landscape setting of the various types of excavated Christian-period burials and cemeteries is compared with execution sites and other burials mentioned in Anglo-Saxon charter boundary clauses. Spatial relationships between places of judgement and punishment and other central and focal places, such as royal and ecclesiastical sites, markets, places of public assembly, and urban places are considered in Chapter 6. Analysis of such relationships provides a new perspective from which to interpret the development and nature of central places in post-Roman England. The siting of execution cemeteries presents several additional avenues of enquiry, not least the topic of the reuse of existing features in the landscape by succeeding populations.

Drawing on the evidence presented in Chapters 3, 4, and 5, the discussion in Chapter 6 broadens to a summary of the origins and development of judicial

activity and its implications in terms of the historical development of Anglo-Saxon England. Furthermore, the chapter attempts to identify a contemporary ideological context for judicial practice in the landscape, in an attempt to explain the siting and terminology of execution sites and modes of burial of social outcasts.

CAPTIVITY, JUDGEMENT, AND PUNISHMENT IN ANGLO-SAXON ENGLAND

How and where judicial activities were enacted becomes evident with increasing clarity the further one progresses through the written sources of the tenth and eleventh centuries. Prior to the tenth century, written evidence becomes steadily more problematic the further back in time one progresses, and the boundary between reality and intent in their content is accordingly harder to define. For the later period at least, however, various charters and ordinances, law codes and lawsuits provide a sufficient body of material to allow a sketch to be drawn of the progress of an individual from his or her apprehension for committing an offence up to, in the case of capital offences, the point of execution. There is no single source, however, that describes the entire process in an individual case in every detail. Instead, the workings of the Anglo-Saxon judicial system require reassembling from a variety of materials. The summary provided here is intended to establish a contemporary context for the subject-matter of this book and provide an introduction to the framework of the judicial process for those otherwise not acquainted with it. For a detailed consideration of the history of individual law codes and of the continental background, reference should be made in particular to Patrick Wormald's many contributions to legal scholarship (Wormald 1977; 1978; 1986; 1988; 1995*a*; 1997; 1999).

THE ANGLO-SAXON LAWS

The surviving laws form a sizeable body of material, issued with some considerable intervals between the early seventh and mid-eleventh centuries (see Wormald 1999, 112–17, table 3.1, for the chronology of English law codes 871–1166). Quotations in this volume follow the editions of Attenborough (1922) and Robertson (1925), using the abbreviations provided at the start of the book.

From the outset it is important to register that the law codes issued by Anglo-Saxon kings were not intended to serve as definitive works of reference. Indeed, Patrick Wormald has noted that: 'Many of our texts are therefore something in the nature of minutes of what was orally decreed rather than statute law in their own right' (Wormald 1978, 48), a situation clearly illustrated by

a number of tenth-century codes that use the terminology of speech (*ibid.*). Lawmaking was, apparently, a predominantly oral tradition in common with much of Anglo-Saxon governance, and it seems that the surviving laws were issued to supplement and update aspects of a much larger body of unwritten law, some of it customary, perhaps even of very local import, and potentially very ancient.

The documents themselves served a variety of functions: injunctions by the king to his legal officials; decrees made at councils for wider issue; and reports from shire courts and other bodies (Keynes 1991, 68–9). The chronological range of the surviving codes extends from the reign of Æthelberht of Kent (580 × 93–616 × 18) (Brooks 1989, 66–7) to that of Cnut (1016–35); in other words, from the conversion to Christianity to shortly before the Norman conquest. The issue of written laws was limited following the series of legal codes that emanated from the royal courts of seventh-century Kent in particular, and Wessex, until the reign of Alfred (871–99), although there are three references to laws no longer extant: Bede mentions one decree promulgated in the reign of Eorconberht of Kent (640–64) (HE III. 8); the preamble to the laws of Alfred refers to the so-called lost laws of Offa (757–96) (although see Wormald 1991); and Edgar's (959–75) laws on the mutilation of thieves are known only from Lantfred of Winchester's *Translatio et Miracula S. Swithuni*, written in the later part of Edgar's reign (Keynes 1991, 72–3; Wormald 1999, 125–6; Lapidge 2003), a source that contains a range of further evidence for punishment and penance.

It is clear from the laws of Edward the Elder (I Edw Pre) and Edgar (IV Edg 15) that, by this time at least, written laws were intended to be widely distributed and followed. The church apparently played a central role in this process and, with reference to the laws of Æthelred (particularly VI Ath), Wormald (1978, 57) has suggested that the presence of legal texts in a liturgical context may have meant that the clergy were expected to read and recite them.

That churchmen knew the law, in the Late Anglo-Saxon period at least, is clear from the famous account of the Pinnenden Heath trial in Kent early in the 1070s where 'Aegelic, bishop of Chichester, a man of very great age and very wise in the law of the land ... was brought to the trial in a wagon in order that he might declare and expound the ancient practice of the laws' (Douglas and Greenaway 1981, 482–3). Otherwise, there is evidence from OE literature for specific individuals who were learned in the law, and Dorothy Whitelock has drawn attention to references in the poem 'The Gifts of Men' which mention one who 'knows the laws, when men deliberate', and one who 'can in the assembly of wise men determine the custom of the people' (Whitelock 1974, 135). Overall, the picture is very much one of a combination of local custom amended by royal decree; a situation which, it seems, was common throughout much of early medieval Europe (see e.g. the European perspectives provided in Davies and Fouracre 1986).

From the reign of Alfred there is evidence for direct royal influence on legal procedure, including the appearance of forfeiture of land to the king for 'crimes' (Wormald 1986, 164 and 166; 1999, 149) and, by the tenth century a situation existed whereby the organization of shire courts was determined by royal decree (*ibid.* 1986, 162).

More pertinent to the subject matter of this book, law codes rarely contain information about the effectiveness of legislation or the state of law and order in general. There are occasional references to the annoyance of a particular king that the laws have not been respected (*cf.* II Edw Pre; V As Pre; V As Pre 3; II Edm Pre 2), and others that describe the well-being of the people and their good conduct (*cf.* VI As 8.7; II Edm 5; IV Edg 16)(Keynes 1991). All too little is known otherwise from documentary sources about judicial affairs in the localities apart, of course, from the 178 surviving lawsuits (Wormald 1988; 1999, 143–161) that describe in varying degrees the progress of individual cases.

SOCIAL DISTINCTIONS

The law, and indeed Anglo-Saxon society, was constructed around a clear understanding of social scale. Before the conversion to Christianity, reconstruction of the ranking of Anglo-Saxon society is reliant upon archaeological evidence, namely the contents of furnished inhumation graves and cremation burials; settlements display little evidence for hierarchy before the end of the sixth century (Scull 1993, 69 and 73; Reynolds 2003).

Social distinction among burials of fifth-century date is less apparent than during the sixth and seventh centuries, on the basis of the comparative wealth of grave finds. Indisputably fifth-century graves are difficult to identify, yet, when they are, ranking is often evident among the associated cemetery's population (Scull 1993, 71; Carver 1989, 149). For the fifth and sixth centuries, across southern and eastern England at least, Scull's view of 'broadly equal, internally ranked patrilineal, patrilocal descent groups farming or exploiting their own territories' best fits the available archaeological evidence, with little sign of an aristocratic class until the later sixth century (Scull 1993, 73). Reconciling this view with that provided by the earliest Kentish laws, however, is problematic, as it is difficult to envisage the complex system of social ranking that they describe as such a rapid development at the very start of the seventh century. On balance it seems sensible to accept ranking at least within individual social groups from the earliest phase, which becomes increasingly visible in archaeological terms during the sixth and seventh centuries.

Anglo-Saxon society in the Christian period was divided into a range of social classes, including the fundamental distinction between the free and the unfree, with punishments ranked accordingly. The medieval distinction of the

'Three Orders' of society (clergy, warriors, and workers) first appears explicitly in King Alfred's translation of Boethius' *De Consolatione Philosophiae*, and is perhaps based on ideas circulating in the Frankish world in the ninth century (Powell 1994), but the concept was the subject of intellectual discourse rather than a working distinction in the eyes of the law.

A freeman's life had a monetary value termed *wergeld* (literally 'man's price' or 'man's payment') that increased in value according to the status of the person. Offences were normally settled by the payment of compensation to the injured party (Whitelock 1974, 145), with capital punishment apparently the exception rather than the rule. The earliest English law code, of Æthelberht of Kent, for example, largely comprises a complicated list of payments to which reference could be sought for all types of bodily injury (Abt 33–73), but there is no reference to a capital offence. An illustration of the pre-eminence of monetary fines in practice is provided by the observation that amongst the 178 lawsuits, largely of tenth- and eleventh-century date, in Wormald's handlist, only six mention capital punishment (Wormald 1988, nos. 31, 40, 43, 100, 157, and 178). The principal function of monetary fines was ostensibly to limit blood-feud and to provide a mechanism by which family pride was allowed proper expression through formal procedure and in a controlled manner avoiding bloodshed (Page 1970, 60–1), although the nature of feud is itself complex and variable (Miller 1990, 179–89). Blood-feud evidently remained an issue late into our period, as related by the regulations of a Cambridge thegns' guild dated to the second half of the tenth century (Whitelock 1979, 603–5). Among the rules regarding blood-feud, the statutes relate that: 'And if anyone kill a guild-brother, nothing other than eight pounds is to be accepted as compensation. If the slayer scorn to pay the compensation, all the guildship is to avenge the guild-brother and all bear the feud' (ibid. 604). Violence between high-status families was also a significant issue during the Anglo-Saxon period, often involving those at the very highest echelons of society (Fletcher 2002).

With regard to the level of *wergeld* payments, it is worth noting that there were regional, but more particularly chronological, variations. Slaves were graded according to who owned them and by their abilities (Loyn 1984, 51). It has been argued that up to the later ninth century slaves were regarded purely as chattels, but from the laws of Alfred they may be seen to have had 'minimal rights' (Pelteret 1995, 81). In the seventh-century Kentish codes, slaves are commonly found divided into three classes (Abt 11; 26), with similar distinctions in Wessex during the later part of that century (I 23.3). A class termed the *Wealas* (Welsh) in Ine's laws had a *wergeld* of 120 shillings (I 23.3), while in Æthelberht's Kent the apparently half-free *læt* class had a *wergeld* of 80 shillings (Abt 26). The ordinary freeman, or *ceorl*, had a *wergeld* of 100 gold shillings in early seventh-century Kent (Abt 21; H&E 3), while in Ine's Wessex the tariff was set at 200 silver shillings (I 34.1), half the Kentish rate by reckoning a Wessex shilling at 5 silver pence (Loyn 1984, 45).

By the same reckoning, high-ranking individuals had an equivalent *wergeld* of 6,000 silver pence, 1,200 silver shillings in Wessex (I 19) and 300 gold shillings in Kent (H&E 1) during the seventh century. By the later ninth century Alfred's laws record *wergelds* of 1,200 shillings for higher-ranking persons, including women, but also a rate of 600 shillings for both men and women (Alf 10; 18.2; 18.3; 27; 28; 39), apparently a continuation of the 600 shilling *wergeld* for a *Wealh* with five hides of land in Ine's time (I 24.2). The reign of Alfred saw the rise of the thegn both as a term and an office (Pollock and Maitland 1923, 33). Originally a servant of the king, the label came to apply to individuals with a wide range of personal circumstances with a *wergeld* of 1,200 shillings in common and, by the eleventh century at least, thegnly rank could be either inherited or acquired (Chadwick 1905, 79), according to the well-known formula, by the accumulation of five hides of land, a church and a kitchen, a bell-house, a *burgh-geat*, a seat and a special office in the king's hall (Whitelock 1974, 85–6; Williams 1992). It is worth remembering, however, the *Wealh* with his five hides noted above in Ine's laws, indicating the continued importance of the five-hide unit in relation to legal status from an early period. The laws of Alfred record the *wergeld* of an ordinary freeman as 200 shillings (Alf 26), a value that continued into the Late Anglo-Saxon period, along with that of 1,200 shillings for those of thegnly rank; a situation described in the tenth-century, apparently unofficial, tract termed 'Wergeld' (Wormald 1999, 374–8). The king's *wergeld* was of such a value as to act as safeguard to his life in the face of possible assassination, but by 1020 'royal wergeld had dropped out of main-line Anglo-Saxon law' (Loyn 1984, 46; Wormald 1999, 393).

In terms of royal *wergeld* values, the *Anglo-Saxon Chronicle* relates how in 694 'the Kentishmen came to terms with Ine and gave him "thirty thousands" because they had burnt Mul [brother of Ine's predecessor Cædwalla] to death'. The late tenth- or early eleventh-century compilation on status known as *Gepýncðu*, and attributed to the Wulfstan canon, recalls *wergeld* payments relating to Northumbria and Mercia among its collection of texts. *Norðleoda laga* (law of the North people) records a royal *wergeld* of 30,000 *thrymsas* (by Wulfstan's time an archaic term), as well as a *ceorl's wergeld* of 266 *thrymsas* equal to 200 shillings, 'according to the law of the Mercians' (Whitelock 1979, 469). A further text in the compilation, the *Mircna laga* (law of the Mercians), records a royal *wergeld* of 30,000 *sceattas* (again an archaic term by this time) (ibid. 470).

FROM OFFENCE TO PUNISHMENT: THE JUDICIAL PROCESS

By the end of the Anglo-Saxon period there is a clear picture of the administration of justice, and it can be observed that provision had to be made for four requirements: prisons at royal manors; courts at public assemblies; facilities

for the judicial ordeal at superior churches; and places of execution and burial. What follows discusses the nature of these four judicial requirements and the evidence for their origins, a chronological approach to the evidence being all too rarely taken by previous commentators. For certain regions there is sufficient evidence to begin to reconstruct the spatial patterning of judicial agencies, and models are presented in Chapter 6. The discussion below of punishment largely concerns capital offences and other legal prescriptions that have a potential bearing on the interpretation of archaeological evidence.

Imprisonment

Confinement is a primary requirement of a legal system: for the safety of the offender from those seeking retribution, for the safety of the community if the offence was particularly heinous, and to prevent the individual concerned evading the judicial process. The late seventh-century laws of Wihtred, king of Kent (690–725), record that: ‘He who catches and secures him [a thief], shall have half his value’ (W 26.1), while those of Ine (688–726) describe the penalty for one ‘who captures a thief or has a captured thief given into his custody, and allows him to escape, or suppresses knowledge of the theft, [who] shall pay for the thief according to his *wergeld*’ (I 36). A sub-clause to the law just cited notes that: ‘If he is an ealdorman he shall forfeit his “shire” unless the king is willing to pardon him’ (I 36.1), intimating that confinement could be managed on the estates of high-ranking persons at this time. From the late eighth century prisons were apparently maintained at the *cynges tun*, or royal manor. The earliest references to confinement on a royal estate are supplied by two charters of Coenwulf of Mercia (796–821), which record that ‘if a malefactor is three times apprehended, he shall be handed over to the royal vill’ (Finberg 1972, cat. nos. 189 and 235, 185, n. 2; S179 and S1861; Sawyer 1983, 275). Although neither charter refers explicitly to a prison structure, such might be expected at a royal estate centre and was surely a necessity, although fettering within any secure building could have served such a purpose adequately.

The first explicit evidence for prisons is contained in the laws of Alfred (871–99) and reads ‘If, however, he pledges himself to something which it is lawful to carry out and proves false to his pledge, he shall humbly give his weapons and possessions to his friends to keep, and remain 40 days in prison (OE *carcerne*) at a royal manor, and undergo there whatever [sentence] the bishop prescribes for him; and his relatives shall feed him if he himself has no food’ (Alf 1.2). Further references occur in Alfred’s translation of Augustine’s *Soliloquies*. Book I states that: ‘It is likewise with the estates of every king: some men are in the chamber, some in the hall, some on the threshing-floor, some in prison’; and Book III that: ‘Rather, the situation is the same for them as it is for the men who in this life are brought to a king’s prison and who

every day may see their friends and ask of them what they wish' (Keynes and Lapidge 1983, 144, 151).

Several saints' Lives provide sidelights on the nature of imprisonment, and confirm the view provided by the prose sources with regard to the maintenance of prisons at royal estates. Goscelin's *vita* of St Edith (Eadgyth; 961–84), written c.1080, relates the imprisonment of two priests from the nunnery at Wilton (Wiltshire) by the reeve of the royal estate there (II. 4; Wilmart 1938, 272), although their prayers to the saint secure their freedom, after which the reeve dies! Lantfred's *Translatio et Miracula S. Swithuni* (ch. 25) relays, among other judicial affairs, the imprisonment by the royal reeve at Calne (Wiltshire) of the slave of a Winchester merchant (Lapidge 2003). After the slave is subjected to judicial ordeal, his master prays to St Swithun, who makes the wounds of ordeal invisible to the reeve, thus ensuring the slave's release. Winchester-related material provides yet further insights into the nature of confinement, in one case providing specific locational details. Wulfstan of Winchester's late tenth-century *Vita S. Æthelwoldi* (ch. 46) records a thief imprisoned by Bishop Ælfheah II of Winchester, perhaps, even, in the prison known to have existed in Edward the Confessor's time on the corner of High Street and Parchment Street in the city (Lapidge and Winterbottom 1991; Barlow 1976, 37). In the Winton Domesday (Survey I of c.1110), the Winchester prison is termed *le balcheus regis* (the king's balk- or beam-house—i.e. built of strong timber), and seems to have comprised a timber cage standing in the open street that later became incorporated into an adjacent property which had encroached upon the king's road there (Biddle and Keene 1976a and b, 236, 305–6). Written evidence for the Winchester prison gives us a unique insight into urban arrangements for the confinement of wrongdoers in the pre-Conquest period.

R. B. Pugh has suggested that: 'For custodial purposes at least, "the stocks" is probably our earliest "prison"' (Pugh 1970, 1). Indeed, the earliest archaeological evidence for an instrument of confinement is known in the form of half a pair of wooden stocks dated to the eighth century from a well at Barking Abbey (Essex) (D. Goodburn, pers. comm. 2004). Given the varied nature of imprisonment, listed by Pugh as custodial, punitive, and coercive (Pugh 1970, 1 n. 4), and the likelihood that some physical protection would have been necessary for the prisoner, structural confinement seems equally likely and is reinforced by the literary and pictorial evidence. The OE poem *Juliana*, for example, probably written by the Mercian poet Cynewulf in the late eighth or ninth century, relates how Juliana's oppressor 'instructed that she be taken to prison', and that 'the prison door, the work of hammers, was fastened with a bar' (Bradley 1982, 217 and 308).

Æthelstan's laws include references to the confinement of thieves for forty days, with sorcerers and witches receiving 120 days, and to the imprisonment of formerly convicted thieves before going to judicial ordeal (II As 1.3; 6.1; 6.2 and 7). Cnut's second law code states that 'no condemned man shall ever be

put to death during the Sunday festival ... but he shall be arrested and kept in custody until the festival is over' (II C 45).

In a recent article, Philip Tallon (1998–9) has suggested that the one hundred or so examples of the place-name Caldecote and variants (Calcot, Calcutt, Caldicot, Caldcott, etc.) record places of exile and banishment established by royal initiative, specifically Æthelstan's Exeter legislation produced at the *witan* there in 935 (IV As 3; V As 1–3). The relevant clauses from the Exeter code refer to banishment of individuals, on pain of death should they return to their native districts:

1. Now I have decided with the councillors who have been with me at Exeter at midwinter, that all [disturbers of the peace] shall be ready to go themselves, with their wives, with their property, and with everything [they possess], withersoever I wish, unless henceforth they are willing to cease [from wrongdoing]—with the further provision that they never afterwards return to their native district.
2. And if anyone ever meets them afterwards in their native district, they shall be liable to the same punishment as one who is taken in the act of thieving.
3. And he who harbours them, or any of their men, or sends any man to them, shall forfeit his life and all he possesses. The cause [which has led us to issue this decree] is, that all the oaths, pledges, and sureties which were given there, have been disregarded and violated, and we know of no other course which we can follow with confidence, unless it be this.

The laws cited by Tallon suggest places of banishment, but it remains difficult to be certain that the Caldecote names represent such sites. He does show, however, that twenty-six of the forty-four examples documented before c.1300 lie within 4 km of shire boundaries, two appear to relate to the boundaries of hundreds, and five to former administrative divisions of a lesser order (i.e. a total of 75 per cent of pre-c.1300 examples are in arguably liminal locations). Furthermore, Tallon has related twenty of his early group of names to estates with royal connections: an analysis of names recorded in sources after c.1300 produced similar results. Traditionally, Caldecote is interpreted as 'cold hut', 'a place of shelter for wayfarers' (Ekwall 1960, 82), but Tallon has shown that as a rule they are located away from population centres and important routes of communication. The proposition that the landscape of Late Anglo-Saxon England was dotted with outcast communities is an interesting one, but the place-name evidence itself is problematic with regard to chronology, and perhaps Caldecotes instead represent flimsy accommodation for shepherds and others at the limits of estates as evidenced in various charter bounds and by archaeological discovery (Costen 1994; Reynolds 1999, 153). John Blair notes the place-name Wretchwick, near Bicester (Oxfordshire), meaning 'the *wic* of the exiles (OE *wrecan*)', which suggests an outcast community (J. Blair, pers. comm. 2006). Ultimately, detailed research is necessary at a local level to explore the tenurial history and landscape context of places named in this way.

Certain Late Anglo-Saxon MSS contain illustrations of potential relevance. An illustration from the early eleventh-century Harley Psalter (BL MS Harley 603, fo. 54v) shows two men tethered with rope to the corner posts of an open-ended masonry building, with a third figure confined in stocks (Fig. 1). The Harley Psalter derives much, but by no means all, of its imagery from the Utrecht Psalter, produced *c.*830, probably at the monastery of Hautvillers near Rhiems (Noel 1995, 2); the existence of both exemplar and copy allows innovations to be identified. Furthermore, the Utrecht Psalter itself draws on late antique prototypes (Hinks 1935, 115–16). A further example of a masonry prison building is illustrated in BL MS Cotton Caligula A, fo. 22 (St Peter's release from prison by an angel; Fig. 2), dated to *c.*1050 (Temple 1976, 113–15, cat. no. 97). Carver has shown that caution must be exercised when using Anglo-Saxon MS illustrations as depictions of contemporary artefacts or architectural details (Carver 1986), and his work on the illustrations in the Harley Psalter indicates that the roof types in Figures 1 and 2 are of varying authenticity with regard to contemporary usage. The roof in Figure 1 has late antique antecedents (Carver's Type 4), whereas the roof of the uppermost structure in Figure 2 is of Carver's Type 3b, a contemporary style; the middle and lowermost structures do not find identical parallels in his scheme (although they might be considered as a copyist's alteration of a late antique type (Carver's Type 4b)). The windows and doorways (including the door hinges) in Figure 2 are all considered contemporary (Carver 1986, 122, fig. 3, 128, fig. 11, and 131, fig. 16). Clearly, one cannot accept the MS illustrations as entirely faithful depictions of contemporary structures, but elements inspire confidence.

A recent survey of Iron Age and Roman shackles included a consideration of post-Roman examples, with Winchester producing the only known finds of Anglo-Saxon date (Thompson 1993, 163, cat. no. 153a; Fig. 3). Late tenth- to late eleventh-century levels at the Old Minster produced two pairs of shackles and one single example, whereas eleventh-century levels associated



Fig. 1. Offenders in custody. (British Library MS Harley 603, f. 54v (detail)). © British Library Board. All Rights Reserved)

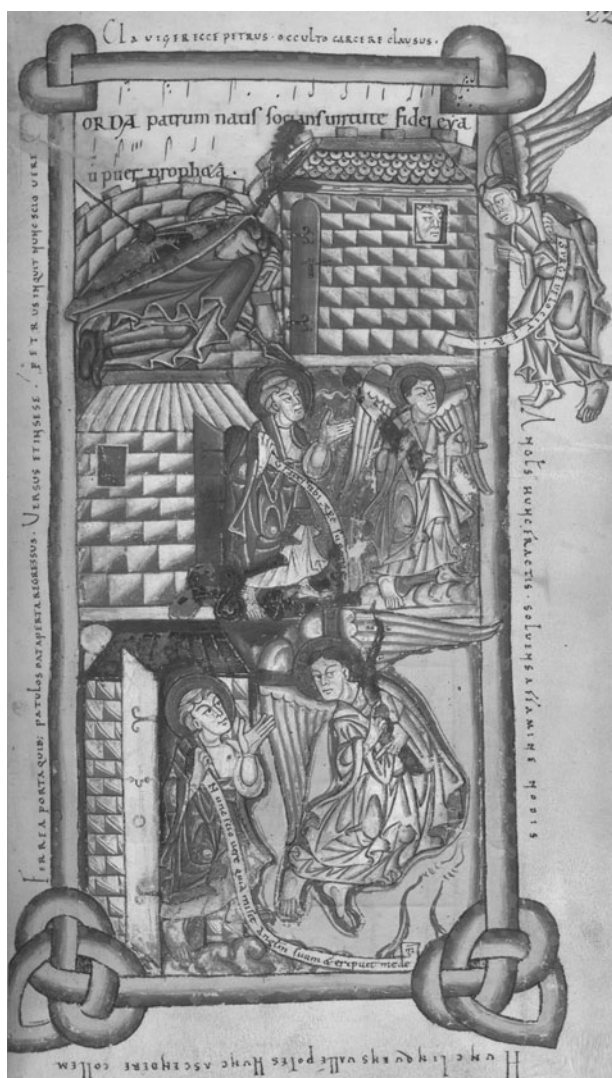


Fig. 2. St Peter released from prison by an angel. (British Library MS Cotton Caligula A XIV, f. 22. © British Library Board. All Rights Reserved)

with Houses IX and X at Lower Brook Street produced a single find (Goodall 1990a, 1011–14). The context of the Old Minster finds is difficult to explain, although the structure would have been visited by those undergoing judicial ordeal. The Lower Brook Street find is from a domestic context and is best viewed as a piece of scrap, given that only half a pair of shackles is represented. A fifth- or sixth-century male skeleton from the early medieval monastic cemetery at Llandough (Glamorgan) was found with two iron bands around the waist, but as neither band confined the hands or arms, a penitential or medical motivation best explains these finds (Redknapp 2005, 53–64).

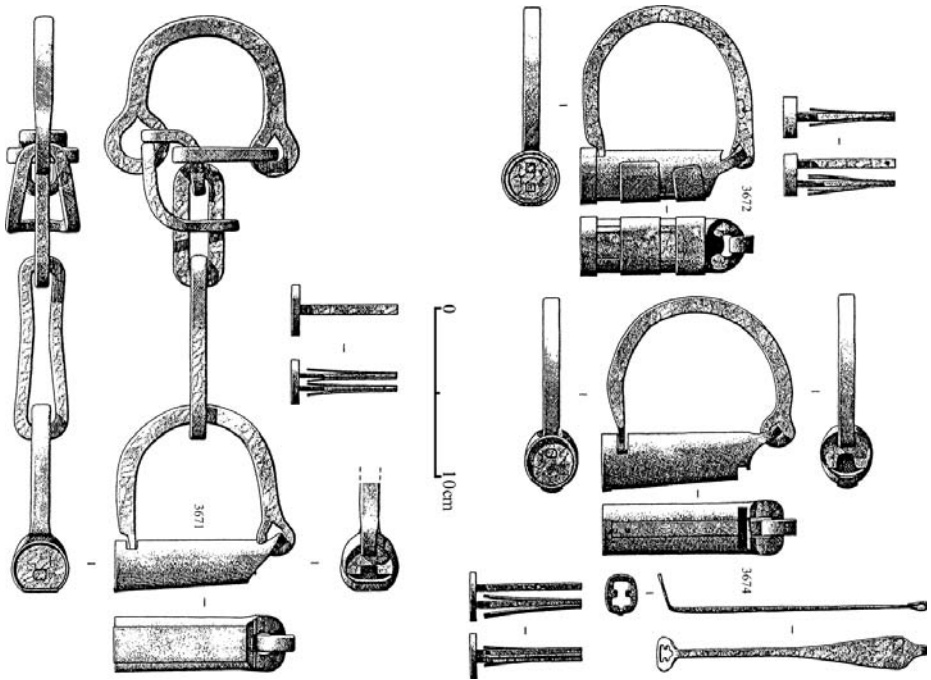


Fig. 3. Late Anglo-Saxon shackles from Winchester. (After Goodall 1990a, 1013, fig. 314, cat. no. 3671, 1014, fig. 315, cat. nos 3672 and 3674. Reproduced by permission of the Winchester Excavations Committee)

Eddius Stephanus' *Life of Wilfrid*, written about 720, records how the saint's captors ordered their smiths to 'forge iron fetters' (ch. 38; Colgrave 1927), while later poetry refers to similar instruments of confinement. The *Genesis B* poem, for example, speculatively dated to the mid-ninth century (Bradley 1982, 11), contains a description of hell that potentially exhibits a degree of influence based on contemporary experience. The relevant passage reads: 'But bonds of iron encircle me; a halter of chain yokes me. I am powerless, such hard hell fetters have fast laid hold of me ... Fetters of links, a cruel chain, have impeded my movement, deprived me of my motion. My feet are shackled, my hands tethered. The ways are blocked through these hell-gates so that I cannot escape at all from these trammels. Great bars of tough iron forged in fire surround me and with them God has tethered me by the neck ...' (ibid. 22). By contrast, MS Junius 11 (of c.1000) also contains an illustration, showing the Fall of the Rebel Angels, where the figure in the lower panel falling into the mouth of hell is bound at the wrists and neck not with iron, but with rope (Talbot Rice 1952, pl. 68), the same material used to confine the men tethered to the corner posts of the Harley Psalter prison.

Given the lack of representations of iron shackles in pictorial scenes and from excavations, archaeology is unlikely to provide evidence necessary to identify

prisons, although two *possibilities* have been put forward. At the Anglo-Saxon 'palace' at Cheddar (Somerset), Philip Rahtz suggested that an amorphous collection of postholes (Building R) immediately to the west of the south end of the Period 1 Long Hall may have been a prison (Rahtz 1979, figs. 10 and 39), whilst Rosemary Cramp's excavations at Wearmouth (Northumberland) revealed a sunken room of the later Anglo-Saxon or early Norman phases in the angle between walls VI and H. While initial interpretations proposed an external strong-room or a prison, the original function is unknown and a more recent appraisal notes that it could have been a storage room or a latrine (Cramp 1976, 232, fig. 5.10, 234; 2005, 104).

Evidence for imprisonment is at best sketchy, but it seems that by the reign of Ine, in Wessex at least, ealdormen might have the responsibility of confining offenders. By the end of the eighth century Mercian evidence suggests prisons on royal estates, a picture that emerges with greater clarity in the laws and other writings of Alfred in the late 800s and in certain saints' Lives. By the earlier tenth century and reign of Æthelstan the role of prisons in the judicial process is revealed in greater detail.

Judgement

Judicial hearings before an assembly are first recorded in the laws of the Kentish kings Hlothre (673–85) and Eadric (685–6) (H&E 8), but exactly who held the right to attend is unknown. The earliest evidence for public assembly in Anglo-Saxon England comes from a charter of Coenwulf, king of Mercia, dated 801, which describes an estate freed from the burden of *popularia concilia* (Stenton 1971, 298). The estate in question had previously been granted, presumably with the burden, by Offa in 767, and the Coenwulf charter was appended to the original (S106). The earliest mention of a meeting-place in charter bounds comes from an authentic charter of King Egbert of Wessex, dated 826, for Calbourne on the Isle of Wight, which records a *gemot beorh* as one of the boundary marks of the estate (S274). Alan Harding (1973, 17) has suggested that the hundred as an institution (a topic to which we return in Chapters 5 and 6) and its courts are a product of the ninth and tenth centuries and the growth of the thegnly classes. Public assemblies, however, are likely to have been a requirement from the earliest period of stable settlement in post-Roman England, and the evidence of place-names lends further weight to the antiquity of the function (Stenton 1971, 297; Whitelock 1974, 138; Sawyer 1978, 197–200; Loyn 1984, 140; Meaney 1995). Indeed, the opening clause to Æthelberht's laws includes a reference to the fact that: 'Breach of the peace shall be compensated doubly when it affects a church or a meeting place' (Abt 1).

In later Anglo-Saxon England, lawsuits were heard at a public assembly, the hundred court, whose meetings were held at least from the time of Edward the Elder (899–911), when 'ælc gerefa hæbbe gemot a ymbe feower wucan'

(each reeve was to hold a meeting every four weeks) (I Edw 8). Henry Loyn has argued that the courts referred to in Edward's laws are identical to those explicitly termed hundred courts in the statement known as the *Hundred Ordinance* attributed to Edgar (957–75) and known as 'I Edgar' (Loyn 1984, 141; Wormald 1999, 378–9). The *Ordinance* describes the running and organization of the hundred, shire, and borough courts that had developed by this time. Shire and borough courts were to meet twice and three times a year respectively, and appeals from the hundred court could be taken to the shire court or to the king, although by the time of the issue of Cnut's laws access to the monarch seems to have been effectively restricted by the development of a ranked system of appeal (II C 17). Shire courts were major social events as well as legal ones, and ostensibly they could be attended by all of the freemen in the shire. Late Anglo-Saxon kings were at least represented by ealdormen (regional officials) and/or shire reeves, or sheriffs, although the assemblies themselves did not become properly royal courts until the reign of Henry I (Loyn 1984, 138). It seems also that the powers of the hundred court should not be underestimated, as Alan Kennedy has demonstrated with regard to the right of the hundred court to hear cases relating to *bocland*, a distinction previously accepted as being limited to the shire court (Kennedy 1985). Intermediate assemblies, between shire and hundred, were also held in the Late Anglo-Saxon period and normally comprised a meeting of several hundreds (cf. Robertson 1939, no. 40).

Each administrative unit, whether hundred or wapentake (in the Danelaw), possessed a meeting-place where judgements were made on offenders and where matters of local administration were dealt with (Loyn 1984, 141). Meetings seem largely to have been held in the open air at rural locations, marked by mounds, standing stones, bridges, and crossroads amongst other features, although occasional references in the documentary record suggest buildings, and certain meetings took place either at important estate centres or in towns (Meaney 1994, 67). Legal assemblies of this kind were a common feature of early medieval societies throughout the northern world (see Pantos and Semple 2004). There have been a number of excavations at hundred meeting mounds, but most of these were antiquarian endeavours, effectively earth-moving exercises undertaken in the hope that valuable items might be recovered. In other words, the fact that the sites happened to have been those of hundred courts was of incidental interest to the barrow-diggers, and subtle evidence has almost certainly been lost.

Of the twelve documented excavations of meeting-places only one is a modern systematic investigation carried out with the intention of retrieving information principally about the meeting-place itself. The site in question is the meeting-place of Secklow Hundred in Bedfordshire, excavated (and subsequently reconstituted) in advance of the development of the new town of Milton Keynes (Adkins and Petchey 1984). The excavators found no evidence

earlier than the thirteenth century for the existence of the Secklow mound, but their catalogue of excavations on similar sites elsewhere suggests that mounds, presumably from upon which leading officials presided over the matters in hand, could be purpose-built: only one of the sites (the meeting-place of Culliford Tree Hundred in Dorset) proved to be of prehistoric origin (*ibid.* 247). Although the mass of activity at hundred meeting-places no doubt occurred around the mound itself, establishing construction dates for purpose-built meeting mounds is of crucial importance in view of what could be revealed about the origins of the judicial system in the localities and of the hundred—issues about which documents are silent. It has often been suggested that many of the names given to hundreds are indicative of a pre-Christian origin (Whitelock 1952, 138; Meaney 1995). Audrey Meaney has recently published the results of her research on hundred meeting-places (Meaney 1994; 1995; 1997), and her significant findings now require a campaign of archaeological investigation, as Meaney herself suggests (1995, 37). Aliko Pantos has continued and broadened research avenues, with a particular focus on the landscape context of meeting-places (Pantos 2003; 2004).

It is only in the later documents that the functions and procedure of assemblies are defined in greater detail. Æthelred, in his Wantage law code issued in 997, set out provisions for the establishment of peace in the wapentakes of the Five Boroughs (III Eth 13.2). Amongst these, provision was made for twelve leading thegns, accompanied by the king's reeve, to swear upon relics that [during a hearing] they would accuse no innocent man nor conceal any guilty one. This evidence has been taken as the earliest reference to a jury of presentment, which, incidentally, was also expected to produce a unanimous verdict, although ordeal rituals apparently remained the means of establishing guilt or innocence where doubt or suspicion remained (Loyn 1984, 144).

A lawsuit itself began when the plaintiff summoned the defendant to appear before the hundred court which was presided over by the king's reeve (Whitelock 1974, 138). If the defendant failed to answer the charge against him on a number of occasions he lost the case by default. In the event of a prosecution if the fines were not paid, or if the offence was capital and the offender had absconded, he became an outlaw (*ibid.* 140). In a straightforward case where the defendant appeared, the plaintiff took an oath swearing to his honesty in pursuing the case followed by the defendant swearing to prove his innocence (*ibid.*). The defendant swore with the aid of oath-helpers, which he was allowed a period of time to acquire, with the value of the oath linked to social rank (*ibid.* 140–1). Where the defendant and his oath-helpers presented a satisfactory case, the suit ended and the defendant was cleared. Where the defendant was either of suspicious character, had committed previous offences, or was caught in the act, he was no longer oath-worthy, and in such cases the plaintiff and his compurgators had the right to swear to the defendant's guilt. When the plaintiff was successful, then the defendant was subject to judicial ordeal (*ibid.*).

Perhaps the best-documented individual case is that of the career of a certain Helmstan recorded in a tenth century document known as the Fonthill Letter (Keynes 1992; Boynton and Reynolds 1996). The letter itself relates Helmstan's theft of a belt, for which he was cleared by oath-taking with the support of oath-helpers, and his subsequent conviction for cattle-rustling, 'proved' by scratches to his face apparently suffered while fleeing those tracking him (Whitelock 1979, 544–6). Although Helmstan forfeited land at Tisbury (Wiltshire) for his second offence, it was later restored to him (*ibid.* 545). The letter is remarkable, not only for the detail it provides of the legal process at work, but also for its illustration of the tracking of cattle-thieves in practice (*cf.* I Edg 2).

Ordeal

Judicial ordeal is first recorded in an English context in the laws of Ine with regard to thieves (I 37). The early sixth-century *Lex Salica* shows that the Franks employed the hot ordeal (see e.g. the *Pactus Legis Salicae* of Clovis, caps. 81 and 82; Fischer Drew 1991, 138; although the first clause does not specify whether water or iron was used, the second prescribes the use of lots), whilst an early reference to the hot-water ordeal from seventh-century Ireland precedes further references there of seventh- eighth- and ninth-century date (Bartlett 1986, 5, n. 4). In a detailed review of ordeal in medieval Europe, Robert Bartlett considered Irish and Frankish ordeal to be of independent origin, but that the English version was a result of Frankish influence (*ibid.* 5–7). There are palaeographical queries with regard to the reference in I 37, but the clause appears to meet with general acceptance (*ibid.* 7, n. 6).

Amongst the more widely discussed liturgical apparatus belonging to a superior church, such as relics, vestments, and books, equipment relating to the judicial ordeal should also be expected among the possessions of any self-respecting minster. The process and material requirements of ordeal are clearly set out in two documents; the laws of Æthelstan (III As 23, 23.1 and 23.2), and a text entitled *Ordal*, otherwise known as the 'Decree concerning Hot Iron and Water', an anonymous account which is argued to represent a supplement to Æthelstan's law, perhaps produced after 950, either by a royal council or by an official administrator of the ordeal process (Wormald 1999, 373–4). Although the possibility of finding tangible archaeological confirmation of the ordeal process is extremely small, archaeological and topographical information about the layout at certain principal church sites has provided examples of churches located adjacent to substantial wells, cisterns, and ponds. Examples include Bath, Wells, Barton-on-Humber, Winchester (cisterns inside the Old Minster), Glastonbury, and Lincoln (Rodwell 1984, 17–18). John Blair has presented a case for the location of certain churches and chapels by watery places, including wells, cisterns, and natural ponds, as driven by a respect for places with existing folkloric significance (Blair 2005, 377–83). As noted above, demonstrating a judicial function for a watery place is likely to remain impossible without



Fig. 4. A man being whipped, whilst another heats up an iron bar, perhaps for the ordeal of hot iron. (British Library MS Cotton Claudius BIV f. 80. © British Library Board. All Rights Reserved)

explicit documentation. Pictorial evidence for ordeal is limited, but includes the depiction of a man heating a bar of iron, in a scene also showing a man being whipped, from the earlier eleventh century MS Cotton Claudius BIV, fo. 81 (Fig. 4).

Judicial ordeal may be viewed as a guilt-absolving mechanism of the Christian-period judicial system, whereby the decision of guilt or innocence is seen to be made by God and thus complex or otherwise difficult decisions could be taken out of earthly hands, at least in principle. Robert Bartlett's eloquent discussion situates the process in the medieval mind, and argues that people, on the whole, must have genuinely believed that God's judgement was being realized (Bartlett 1986, 153–66). Access to medical attention and social relationships between the priest judging the nature of the victim's injuries and the accused must also have influenced the outcome of the ritual, and initially one might expect that ordeals largely resulted in a guilty verdict. When written sources allow a view to be formed, however, just over half those who underwent such trials were vindicated (*ibid.* 161). The use of dressings for burns, composed of vegetable matter boiled either with butter or sheep's grease, is known from the medical text known as the *Anglo-Saxon Herbal* of c.1000 (Bonser 1963, 24 and 380).

Ordeal ritual is likely to have been conducted almost exclusively in superior, or minster, churches as opposed to estate churches, and a law of Æthelred states that 'every ordeal shall take place in a royal manor' (III Ath 6.1). This situation almost certainly reflects the close association of minster churches with royal manors (Sawyer 1983, 277–8). John Blair has identified early twelfth-century claims to the right to perform ordeal at a few otherwise unexceptional manorial churches, including Westfield (Sussex), and Feering and Ockendon (Essex), but such a situation is unlikely ever to have been common (Blair 2005, 448). Evidence for ordeal at minsters, however, is hardly extensive. At Northampton,

judicial ordeals were carried out at St Peter's minster and at Canterbury at St John the Baptist, as described by the twelfth-century monk Eadmer (Blair 1988, 48; Brooks 1984, 40). The right to administer the process was also contended by old minsters at Taunton (Somerset) and St Alban's (Hertfordshire) albeit in the post-Conquest period (Blair 2005, 448). Carolingian sources suggest that the apparatus of cold-water ordeal could be quite substantial (Rollason 1988, 13), and it is a possibility that archaeological evidence might exist in the form of cisterns or wells. Indeed, Nicholas Brooks has suggested that such an immersion tank would have been present at St John's, Canterbury (Brooks 1984, 40). As noted above, wells inside or immediately adjacent to churches are known, although there has been no consideration of their potential use for the cold-water ordeal. Instead, other liturgical functions, such as the washing of ritual vessels, baptism, and pilgrimage, are usually suggested (Rodwell 1984, 4; Blair 2005, 377–85; Woodward 1992, 121–3 and 125). Large pits discovered in church excavations are often found to be bell-casting pits, such as that at St Oswald's Priory, Gloucester, where mould fragments and metalworking residues leave no doubt as to the function of the feature excavated there (Bayley, Bryant, and Heighway 1993), but the possibility exists that elsewhere some may have been cisterns for the cold-water ordeal. The wells and cisterns excavated inside the Old Minster at Winchester (Biddle 1969, fig. 6) are of a scale sufficient to suggest that they could have functioned partly for the purposes of ordeal. In addition, the hot ordeals of iron and water have the potential to be present in the archaeological record as artefacts, although problems of recognition and interpretation inhibit identification of these activities. Finds of ceramics in and around churches are common, and are normally interpreted as indications of market activity or former or subsequent domestic occupation (Thompson and Ross 1973, 77). It is possible, however, that in some cases such finds represent liturgical activities.

Ultimately, ordeal ceased to play a part in the judicial process due to a questioning not of the possibility of God's intervention, but of determining the actuality of His intervention, and in 1215 the Fourth Lateran Council declared that the clergy were no longer to conduct proceedings (Bartlett 1986, 165; Poole 1955, 403).

Punishment

Capital punishment first appears in the laws of Ine (I 5) produced, perhaps, between 688 × 92 (Wormald 1999, 103, n. 358), where among the offences listed that attracted the ultimate penalty are fighting in the king's house and travelling unannounced, whilst absconding slaves were to be hanged (I 6, 20 and 24). A handlist of capital offences and punishments as they appear in the corpus of Anglo-Saxon laws is given in Appendix 1. Elsewhere in Ine's code, removal of the hand or foot was prescribed for common theft (I 18 and 37), whereas the near-contemporary laws of Wihtred of Kent (dated 6 September

695) relate how freemen and slaves caught stealing could expect to lose their lives, and that those travelling unannounced could meet the same end (W 26, 27 and 28). There are points of comparison between the codes of Ine and Wihtred, but it is perhaps significant that when capital punishment is documented for the first time in Wessex, it is soon to be found in Kent in relation to the same offence (travelling unannounced): the implications of this are considered further in Chapter 6.

Capital offences in Alfred's long and detailed law-code are relatively few. Plotting against the life of either the king or one's lord, and fighting in the king's hall (Alf 4, 4.2 and 7), could result in the death penalty, although the means of execution is unspecified in each of the three relevant clauses; stealing from the church could result in the loss of the hand that committed the theft (Alf 6). The so-called laws of Edward and Guthrum mention in a single clause that wizards, sorcerers, perjurers, and prostitutes should be utterly destroyed if they cannot be driven from the land (E&G 11), although this text is broadly accepted as one of Archbishop Wulfstan's earliest examples of legal formulation rather than an early tenth-century text, as its title suggests (Whitelock 1941; Wormald 1999, 389–91), and should be understood within a late tenth- or eleventh-century context.

A marked increase in the range of capital offences is evident in the laws of Æthelstan, which provide greater detail all round with regard to individual punishments. Anyone over the age of 12 seized in the act of stealing was to lose their life (II As 1), and a thief who defended himself, or fled, was subject to the death penalty, as were others declared outlaws (II As 1.2 and 2.1); moneyers issuing base or light coins could have the hand that committed the crime cut off and fastened upon the mint (II As 14.1). A later lawsuit dated 959 × 88, during the archiepiscopate of Dunstan, for example, reports that three moneyers had been sentenced to lose their hands for minting false coin (Wormald 1988, no. 174). Swearing a false oath brought with it the denial of burial in consecrated ground (II As 26), a reference which has an important bearing on our understanding of the nature of execution cemeteries. Æthelstan's fourth code is concerned largely with theft, and prescribes the various forms of death penalty for thieves (IV As 6 to 6.7). Death could be expected by thieves taking flight and those who might harbour them, whereas free women might be thrown from a cliff or drowned. That the latter penalty could be incurred for witchcraft by the reign of Edgar is demonstrated by a charter of Bishop Æthelwold that records the drowning of a woman at (a) London Bridge between 963 and 975 (quoted at the beginning of this chapter), and also by a lawsuit concerning land in Surrey and Middlesex dated 950 × 68 recording its forfeiture and the drowning of its former owner, a certain Ecgferth, although in the latter case it is not clear if his drowning was a judicial act (S1377 and S1447; Hill 1976*a*, 303–5; Wormald 1988, nos. 40 and 43). Æthelstan's fourth code also relates how male slaves could be stoned and females burnt (IV AS 6.5;

6.7), while his fifth and sixth codes largely reiterate earlier legislation, although the minimum age for the death penalty was raised from 12 to 15 (VI As 12.1).

In the first of Edmund's law-codes, those who failed to observe celibacy or who had intercourse with a nun were prohibited from burial in consecrated ground (I Edm 1 and 4), with the latter clause additionally prescribing exclusion for murderers and adulterers. Edmund's second code notes violation of the king's protection and attacks on a man's house as capital crimes (II Edm 6), whilst his third code provides the first reference to mutilation in relation to gangs of thieving slaves, whose leader was to be hanged (III Edm 4). Lantfred of Winchester's record, mentioned above, of mutilation as a punishment for thieves during Edgar's reign requires further comment here. Wormald's translation of the relevant passage is given in full: 'At the command of the glorious king Edgar, a law (*lex*) ... was promulgated throughout England, to serve as a deterrent against all sorts of crime ... that if any thief or robber were found anywhere in the patria, he would be tortured at length (*excruciaretur diutius*) by having his eyes put out, his hands cut off, his ears torn off, his nostrils carved open and his feet removed; and finally, with the skin and hair of his head shaved off, he would be abandoned in the open fields dead in respect of nearly all his limbs, to be devoured by wild beasts and birds and hounds of the night' (after Wormald 1999, 125). This statement echoes the clause in 'Edward and Guthrum' that states: 'If a criminal who has been mutilated and maimed is abandoned, and three days later he is still alive, after this time [has elapsed] he who wishes to have regard to his wounds and his soul may help him with the permission of the bishop' (E&G 10). Edgar's laws prescribe capital punishment for both treason against a lord and non-payment of rent, and decapitation for swearing falsely that livestock was bought in the presence of witnesses (III Edg 7.3; IV Edg 1.2 and 11).

Æthelred's detailed and substantial legislation cites further instances of offences which preclude burial in consecrated ground, including lack of surety, violent burglary, and the murder of innocent persons on the king's highway (I Ath 4.1; IV Ath 4). Decapitation could result from a second trial by judicial ordeal or breach of the peace inside a town (I Ath 1.6 and 2.1; II Ath 6). Further capital crimes included striking false coins and minting 'in woods', deserting an army under the personal command of the king, remaining near the king if excommunicated, and plotting against the king's life (III Ath 8 and 16; IV Ath 5.4; V Ath 28, 29 and 30; VI Ath 37).

The legislation of Cnut (1016–35), the last to be produced in the Anglo-Saxon period, reiterates themes evident amongst the earlier material. Corrupt reeves and those violating the protection of the church and the king could expect the death penalty, which was also applied in cases of sorcery, theft, and treason against one's lord, for being untrustworthy, maintaining an excommunicated man or an outlaw, and for deserting one's lord or comrades whilst on an expedition (Proc C 11; I C 2.2; II C 4, 26, 66.1 and 77). Punishment for issuing

base or light coins remained the removal of a hand, and punishments for the untrustworthy were extended to removal of the hands and feet (II C 8.1 and 8.2). Failure to acquire the ‘true belief’, or being found untrustworthy with no surety, could entail the forfeiture of burial in consecrated ground (I C 22.5; II C 33.1). Mutilation increased considerably as a favoured means of punishment, and has been explained in terms of Archbishop Wulfstan’s overriding influence in the making and writing of law by this time (Lawson 1993, 207).

Overall, punishments became more complex over time, especially from the tenth century. The severity evident in the law codes, however, should be measured against the long-established preference for fines apparently borne out in practice by the evidence of the lawsuits. For our purposes, we have now considered the range of documented offences which led to capital punishment, mutilation, and exclusion from consecrated ground; in other words, wrongs whose penalties should be expected to be manifest in the archaeological record. The act of executing a person, however, may have taken place in several different circumstances. Individuals caught red-handed may have been killed on the spot; others will have been dispatched after trial; while outlaws might be killed long after the offence in question. These situations may indeed have a bearing on the place of burial of execution victims: whether, for example, on estate, hundred, or shire boundaries. With this overview in mind, we will now move on to consider the evidence for execution sites and cemeteries, the last in the line of judicial processes after prisons, courts, and places of ordeal for those convicted of capital offences.

Sites of judicial execution and burial were present from the earliest period of Christianized judicial authority. Burial and charter evidence of the seventh and eighth centuries respectively and later provides spatial information which can be related to the other judicial activities noted above, and these aspects are considered in Chapter 6. The discussion that follows draws upon the literary and pictorial corpus for scraps of information, much of it incidental in nature, which throws additional light upon judicial arrangements, although for the most part it is archaeology that provides the key to a broader understanding of this material.

The evidence from OE literature is varied and informative. The contribution of poetic sources was first realized by Dorothy Whitelock, who related the late eighth- or early ninth-century work *Juliana*, where the saint is led ‘close to the border of the country’ for her execution, to the evidence of charter bounds (Whitelock 1952, 144; Bradley 1982, 317). There are two references to gallows in the great epic *Beowulf*, which remain unexplained in relation to judicial activity. Lines 2444–6 use an execution scene to conjure an emotion: ‘Grief such as this a grey-headed man might feel if he saw his son in youth riding the gallows’; whereas lines 2940–2 see the threat of hanging made to enemies in war: ‘he promised horrors to that unhappy band, saying that on the morrow he would mutilate them with the edges of the sword, and string some

up on the gallows as sport for the birds' (Alexander 1973). Indeed, it has been stated that *Beowulf* has little to say on pagan religious practices (Wormald 1978, 66; Wilson 1992, 2), particularly sacrifice, and thus the poem provides potential references to judicial hangings; the element of disgrace with regard to those so dispatched is self-evident. With regard to chronology, it is necessary to state that literary scholars are far from a state of even general agreement over the dating of certain literary sources (Bradley 1982, p. xiii). Foremost amongst the disputed material is *Beowulf*, with some arguing that the poem dates to the eighth century (and contains material as early as the sixth century), whilst others propose a date as late as the eleventh century (Newton 1993, 17; Kiernan 1981, and 1996, 18–23; Chase 1997). A recent summary suggests that an eighth-to-tenth century date-range is most appropriate on balance of the various approaches to dating the poem, while Michael Lapidge has re-stated the case for an eighth-century date on the basis of palaeographical errors in the surviving MS (Bjork and Obermeier 1998, 18; Lapidge 2000).

The eighth-century Ruthwell Cross runic inscription mentions gallows, but with reference directly to the crucifixion of Christ (Bradley 1982, 5), whereas the mid-ninth-century or later poem *The Dream of the Rood* (which partly follows the Ruthwell inscription) records how: 'Strong enemies seized me [the Rood] there, fashioned me as a spectacle for themselves and required me to hoist up their felons. There men carried me upon their shoulders until they set me up on a hill' (ibid. 159–61). These literary references, although far from proving a developed legal system in the eighth and ninth centuries, reflect the locational characteristics of, and thus biblical influence on, Anglo-Saxon judicial execution.

Several later poems include references to execution. *The Fortunes of Men*, from the later tenth-century Exeter Book, contains a vivid description: 'Another shall swing on the wide gallows, hang dead, until the casket of his soul, his bleeding body, is rent to pieces. There the raven takes the eyes from his head, the dark-coated bird tears at the corpse; nor can he ward off with his hands the outrage of the hateful flying foe; his life is gone, and he, without feeling, and past the hope of life, pale on the gallows-tree endures his fate, enveloped in the mist of death: his name is accursed' (Mackie 1934, 29). Dating problems aside, the examples given above illustrate the extent to which contemporary literary material, other than the laws, has been related to the study of punitive behaviour.

Pictorial evidence, although limited, is most instructive. BL MS Cotton Claudius BIV, dated to the second quarter of the eleventh century (Temple 1976, 102), provides a series of images of punishment taking place. Folio 81 shows a tethered man being whipped by two men, with a fourth figure shown heating up an iron bar over a fire (perhaps for the ordeal of hot iron—see above) (Fig. 4). A detail from Abraham's Sacrifice (fo. 38) shows Isaac about to be decapitated with a sword fitted with a tri-lobed pommel of contemporary type (Carver 1986, 120; Fig. 5), and, in this context, it is worth noting the passage in *Juliana* where 'the judge commanded her, saintly in her purpose, to



Fig. 5. Abraham on the verge of sacrificing Isaac. (British Library MS Cotton Claudius BIV f. 38. © British Library Board. All Rights Reserved)

be killed by slash of the sword' (Bradley 1982, 316). Folio 110v shows a man being stoned, but the best-known of the four illustrations considered here is a scene from folio 59r showing the king dispensing justice in symbolic sword-holding pose, ultimately in emulation of the pharaoh in Exodus surrounded by his councillors, or *witan*, adjacent to a man hanging on a gallows (Fig. 6).

It has been suggested that the picture-cycle of Cotton Claudius BIV is based on early Christian models (Henderson 1968). In the cases of Figures 4 and 6, however, the scenes can be readily accepted as having a contemporary basis in fact by reference to documentary and archaeological evidence. It seems reasonable to accept also the execution scene in Figure 5 as having the same basis in contemporary reality. Further illustrations of interest are a depiction of Perseus holding a weapon aloft with his right hand and a decapitated head with the left, from the early eleventh-century BL MS Cotton Tiberius BV, fo. 34 (Temple 1976, cat. no. 87), and others showing various decapitations, all by the sword, from the late tenth-century BL MS Cotton Cleopatra C VIII, fo. 16v (Temple 1976, cat. no. 49) and the Harley Psalter, fos. 7v, 19, 59, and 75v. The Harley Psalter (fo. 72) also shows a group of four men with the feet cut off and, more remarkably (fo. 67), shows decapitated bodies apparently buried



Fig. 6. The king, his witan and an execution scene. (British Library MS Cotton Claudius BIV f. 59. © British Library Board. All Rights Reserved)



Fig. 7. A torture scene and a mound containing decapitated corpses. (British Library MS Harley 603, f. 67. © British Library Board. All Rights Reserved)

inside a mound (Fig. 7); the latter drawing is an innovation, and the artist is clearly influenced by the siting of contemporary places of execution, as will be demonstrated in Chapter 4 (see also Semple 2003).

ANGLO-SAXON CHARTERS AND PLACE-NAMES

The potential of place-names as a source of evidence for the location and nature of deviant burial sites has been largely overlooked, despite their value being recognized for more than forty years in the more general literature (Reaney 1960, 157–9). In his 1960 book *The Origin of English Place-Names*, P. H. Reaney widened the lines of enquiry into the judicial system from the usual consideration of obvious names of the ‘Gallows Hill’ type, noting that certain names referred to places where crimes may have frequently occurred,

while others describe, sometimes very specifically, the mode of execution employed.

There has been no comprehensive survey of place-names relating to deviant burial or judicial execution, and certainly no attempt to plot distributions of different classes of names with other evidence for judicial functions. To a certain extent such a study is confounded by the lack of published English Place-Name Society volumes for counties such as Hampshire and Somerset, and by the age of the earliest published surveys, that require updating in the light of eighty years of subsequent scholarship, such as those for Bedfordshire and Huntingdonshire (Mawer and Stenton 1926). Place-names recorded in post-Conquest sources are not considered in this book, as the main emphasis here is on place-names derived from pre-Conquest charter bounds that often provide securely dated evidence. Margaret Gelling has emphasized the pitfalls of place-name analysis by the non-specialist (1988, 11), but the range of names considered here is relatively small and specialist advice has been sought.

Apart from place-names that survive in common usage, and those which are recorded on ancient and modern maps, by far the best source of information relating to Anglo-Saxon judicial activity in the landscape is the long series of land charters. The earliest authentic charters date from the later seventh century, and the majority, especially up to the ninth century, record grants of land from the king to the church, but by the Late Anglo-Saxon period they increasingly comprised grants to laymen (Wormald 1982, 95). When the transference or confirmation of a grant of land was the subject of a charter, a topographical description of the boundary of the estate in question was commonly attached to the main body of the document. The distribution of surviving charters with bounds shows the majority of examples lying in the southern and western counties, slowly petering out to the north and east (Hill 1981, 24, fig. 35). This distribution ensures that for certain key regions in the study of the Anglo-Saxon period, such as East Anglia, the research potential is limited by the range of evidence.

J. M. Kemble was the first scholar to study individual classes of boundary marks, when he drew attention to the 'heathen burials' and other burial sites which frequently appeared in charter bounds (Kemble 1857). Not until the work of G. B. Grundy in the earlier twentieth century, however, was a serious attempt made to solve charter bounds, with studies of Wiltshire, Oxfordshire, Hampshire, Somerset, Dorset, Gloucestershire, Worcestershire, and Berkshire among other allied researches. More recent scholarship concerned with charters as historical documents, as opposed to sources for topographical reconstruction, has been achieved by a series of regional surveys such as those for Wessex and the West Midlands, and by the publication by the British Academy of detailed studies of the charters from particular archives (e.g. Finberg 1964, 1972; Hooke 1990; Campbell 1973, Sawyer 1979; Kelly 1995; 1996).

The value of charter bounds is not limited to this one class of boundary mark, although the heathen burials are by far the most common names related to our topic. Other terms record the former presence of execution sites and other deviant burials, and these are described using a variety of terms including OE *þeofa* (thief) and *wearg* (wrongdoer). Importantly, certain of these terms appear earlier than the heathen burials, and allow a consideration of aspects of the judicial system in the ninth century and earlier.

Other terms analysed in this study are more contentious. OE *heafod stocc* (head stakes), for example, has been interpreted in contrasting ways including ‘stakes set up to mark the bounds of a ploughland’ or as ‘a stock or post on which the head of a criminal was fixed after beheading’ (Grundy 1919, 178; Reaney 1960, 158). There is good reason to accept the latter interpretation. The term is used in the OE prose text Ælfric’s *Lives of the Saints*, where it is explicitly stated that the *heafod stocc* were to take the heads of executed offenders (Skeat 1881, 492), whereas Audrey Meaney’s recent comments on the term *heafod* in place-names saw no problem with the public display of heads with reference to both the pagan and Christian Anglo-Saxons (Meaney 1995, 30). Furthermore, it is generally accepted that there were no divisions between individual strips in open-field systems apart from the furrows formed by ploughing (Taylor 1975, 86). In areas where open fields were not in use, tracks, roadways, and other features, such as headlands, would have formed effective limits to fields. In the later medieval period complaints were common in manorial courts regarding encroachment of certain strips over others, a situation which would have been unlikely should well-marked divisions have existed (Orwin and Orwin 1967, 45). Moreover, if *heafod stocc* served an agricultural function, we might expect rather more occurrences in charter bounds.

Further charter references, using terms whose meaning is not disputed, bear out in locational terms the range of punishments described in the laws. These include rivers where felons were apparently drowned, the various locations of gallows, and mention of places where thieves or robbers congregated; interpretation is varied. For example, the *sceocera weg* (robbers’ way) in the Little Hinton (Wiltshire) bounds of 1047 × 70 (S1588) has been seen as a road frequented by criminals or, more specifically, as a droveway for stolen cattle (Reaney 1960, 158; Watts 1993, 120). Aldsworth has gone further and suggested that the *slahtor weg* mentioned in the Crondall (Hampshire) bounds of 973–4 (S820) could be interpreted as ‘slaughter way’, a road leading to a place of execution (Aldsworth 1979, 178). Furthermore, in his consideration of the Crondall bounds, Aldsworth noted the close relationships between the *slahtor weg* and two ‘heathen burial’ references (*ibid.*).

The charter evidence is clearly a rich and important source, which provides a landscape dimension and, with critical assessment, reliable dating evidence in many instances. In Chapter 5 the range of terms for execution places and

other burials will be explored. Each term is plotted there, and geographical and chronological patterns are discussed and related to archaeological and literary evidence.

SPATIAL ASPECTS OF ANGLO-SAXON DEVIANT BURIAL

Apart from John Steane's brief but useful summary, judicial use of the landscape of Anglo-Saxon England has received little attention (Steane 1985, 25–8; Aston 1985, 45–6; 1986, 50). The locational and chronological relationships between the different agencies of the judicial system within hundredal units is explored in Chapter 6, while studies to date have examined in isolation the sites where traces of judicial activities might be expected—royal tuns, hundred meeting-places, and minsters (Sawyer 1983; Meaney 1997; Blair 2005)—without considering the dynamic relationships between them.

In a landscape context, several writers have suggested a coincidence of hundred meeting-places and execution sites (Hill 1976*b*, 127; Warner 1988, 22; Meaney 1995, 30). MS BM Cotton Claudius BIV, dated to the early eleventh century (Temple 1976, 102, cat. no 86; Fig. 6), shows an execution taking place adjacent to an assembled *witan*. Although this image is intended as a depiction of the biblical description of the pharaoh dispensing justice, rather than a reflection of contemporary practice, contemporary details are present. However, the close spatial relationship suggested between judgement and execution is not one of them. The traditional view of spatial patterning of judicial functions is challenged in Chapter 6, and it is argued that judicial functions were frequently dispersed in the Late Anglo-Saxon period.

Evidence from burials is compared with that from charter bounds to elucidate the topographical nature of the locations of judicial execution sites. The pre-Conquest geography provided by Domesday Book forms the medium through which the charter material and excavated evidence is channelled.

CONCLUSIONS

The significant point to note in conclusion is that many of the aspects of the fully developed Late Anglo-Saxon judicial system are present before their interrelationships and detailed functions are more clearly revealed in documents of the tenth and eleventh centuries. Quite what elements of pre-Christian custom are contained in the later written sources remains obscure. The summary of judicial processes given above has made reference to more-or-less the full range of categories of documentary sources of the pre-Conquest period, yet the study of early judicial organization can be expanded considerably by reference to its physical and spatial form. It is to these latter topics that the book now

turns. Archaeological discoveries of deviant burials of Early Anglo-Saxon date, and particularly execution cemeteries of the Christian period, have suffered from mis-identification and neglect, and what follows attempts to retrieve this evidence from various other social and political scenarios and to place it within a world of social organization rather than anarchy. Once the case for reinterpretation has been presented, the archaeology can be taken forward as a source of equal standing to others utilized in this book. We now move on to consider the definition and character of the archaeology and the development of archaeological explanation via a history of the discovery of deviant burials and execution cemeteries since the middle of the nineteenth century.

2

Burials, bodies, and beheadings: interpretation and discovery

This was the body of a man who had been decapitated. The body was buried in the supine position with the left thigh rotated outwards and the left knee semi-flexed. The head had been placed between the legs just below the knees. The neck had been cut through at the level of the second cervical vertebra. The body of a decapitated animal, probably a large dog, had been placed between the decapitated head and the left thigh ... six silver coins, wrapped in a piece of linen, were found in the region of the left axilla [the armpit] ...'

(Burial 19, Stockbridge Down, Hampshire; after Hill 1937, 254)

INTRODUCTION

Despite such clear indications of formal and even ritualized execution and burial, places where such acts were perpetrated are, perhaps surprisingly, neither immediately obvious in the archaeological literature, nor clearly defined in terms of their characteristics. Several issues have contributed to this situation, including a desire by earlier commentators to read chaos and barbarism into the post-classical world wherever possible, a general neglect until recently of Christian-period burial customs in favour of furnished pagan cemeteries, and a concentration of research into central places in the belief that most aspects of Anglo-Saxon social complexity after *c.*700 are to be found in towns. A mapping of Late Anglo-Saxon judicial agencies at a general level indicates that complex judicial organization also existed independently of urban places, with a dispersed pattern even in regions in which towns proliferated; the simplistic equation that urbanism alone defines social complexity clearly requires re-examination, and recent work indicates that dense urban communities only developed rapidly during the second half of the tenth century (Blair 2005, 337). A tendency to view early medieval societies as excessively violent and often uncontrolled has been increasingly reassessed in recent years, with a series of studies of the various mechanisms of dispute settlement operative in the post-Roman world (see e.g. Davies and Fouracre 1986; Keynes 1991; Miller

1990; Halsall 1998). In a similar vein, Heinrich Härke has argued that not all early Anglo-Saxon weapon graves were necessarily those of warriors, and thus the presence of weapons cannot be read as a straightforward index of the level of violence in early medieval society (Härke 1990; 1992, 155; 1997, 134).

ARCHAEOLOGICAL DISCOVERY AND INTERPRETATION

Archaeologists, all too often unquestioningly led by written sources (Moreland 2001), frequently interpret discoveries of human remains that show signs of a traumatic end within a framework of documented disorder and uncontrolled violence. As will be seen, many of the burials examined in this study support entirely contrasting interpretations, that suggest considered and structured reactions by past populations to the undesirable dead. Indeed, much of the archaeological material brought to bear in this book has been teased out from a variety of perceived chronological and historical contexts and reassembled according to the more rigorous criteria set out below. This chapter thus attempts to provide a detailed archaeological characterization of the evidence for deviant burial and to review previous interpretations.

A feature of great interest, but one that presents particular difficulties, is the presence of peculiar burials in pre-Christian ‘community’ burial grounds of the fifth to seventh centuries that appear to foreshadow the various modes of burial found in the Christian period, almost exclusively in ‘outcast’ cemeteries. With the exception of material relating to the Conversion period, the archaeology of death and burial in the Christian period is only just entering a second generation of scholarship, in contrast to the long-established study of furnished inhumation cemeteries of the pagan period (Lucy and Reynolds 2002); while no previous study, besides the Ph.D thesis that forms the preparation to this book, has attempted to correlate the evidence for so-called ‘deviant burial’ rites across this ideological, cultural, and scholastic divide. This is partly due to the lack of previous attempts to define the physical traces, not only of judicial execution but of other social processes that have been confused with material relating to our central themes. Definitions are thus crucial, and are considered in detail below. The term ‘deviant burial’, first applied in an English early medieval setting by Helen Geake (1992, 87), is used throughout this book when referring to burial remains of a peculiar or ‘non-normative’ character.

Normative burial rites provide benchmarks against which deviant status may be determined. In England, a predominant mode of burial has been established for most archaeological periods and regions, although issues of survival rates of the evidence must be weighed against matters of archaeological visibility of individual burial types. In other words, it must always be borne in mind that the evidence visible to the archaeologist is precisely that, and that alternative forms of the disposal of the dead might have been used within any given period

that have left little or no physical trace. Work on crania dredged from the bed of the River Thames in London, for example, has shown that whilst the majority of examples submitted for radiocarbon dating have proved to be of Bronze Age origin, a date in the seventh century AD was returned for one of them, while other crania from the city, including examples from 'watery contexts', are clearly of Roman date (Bradley and Gordon 1988; Marsh and West 1981). While the individuals to whom these crania once belonged may have been committed to the water as part of a funerary rite, it is also possible that the remains were eroded from a riverbank location, or perhaps from soil containing human remains dumped as make-up for quayside installations and rolled along the river channel; such a view is supported, among other observations, by the fact that many of the Thames crania have lost the facial region (Knüsel and Carr 1995).

Bearing in mind, then, that archaeological discovery and observation will only ever provide a partial sketch of patterns of disposal of human remains in the past, we can still examine the evidence to hand to establish degrees of normative and non-normative mortuary behaviour. In early Anglo-Saxon England the predominant burial rite (except where cremation prevailed) was apparently supine inhumation in graves cut into the ground (Wilson 1992, 69 and 80), normally without elaborate above-ground structures, although this latter aspect is difficult to be sure of, again owing to issues of survival and recognition in the archaeological record. During the fifth and sixth centuries about one-third of burials are interred with the heads to the west, a proportion that rises to about one-half by the seventh century (Lucy 2000a, 130). The attribution of Christian influence to west-east oriented burials must, therefore, be applied with great caution and be viewed as a distinguishing, but not exclusive, characteristic of Christian burial (*contra* Brothwell 1981, 2). West-east inhumation burial became even more widespread during and after the conversion to Christianity, by which time the further Early Anglo-Saxon burial rite of cremation had ceased, apart from a few late cremation burials, such as those from Hamwic (Hampshire), and possibly Friars Oak (Sussex), of seventh-century or later date (Lucy 2000a, 121; Stoodley 2002, 319; Butler 2000, 6 and 73). During the period of furnished burial, from the fifth century through to the early eighth, the majority of burials took place in community cemeteries, while the geographical separation of elite burials began in the late sixth century, immediately prior to the Conversion (Shephard 1979, 47–9; Lucy and Reynolds 2002, 12). Exclusion of unequivocally deviant burials from community cemeteries appears to have taken place during and after the process of conversion.

The principal difference between inhumation burials either side of the Conversion period is the presence of objects placed with the dead in varying quantities in the earlier period. While there are rather more examples of objects found in graves during the Christian period than is often acknowledged, Geake

has conclusively shown that the widespread furnishing of inhumation graves had ceased by *c.*730 (Geake 1997, 134 and 137–9, table 6.1). Until recently it was presumed that a straightforward transition from furnished cemeteries to a landscape with churches and churchyard burial had occurred during the Conversion period, via the so-called ‘Final Phase’ cemeteries of seventh-century date (Godfrey 1974, 136; Faull 1976, 232–3), a view which has been increasingly criticized (Boddington 1990, 196–7; Lucy and Reynolds 2002, 3; Blair 2005, 243–4).

During the Conversion period, and continuing into Christian England, the principal mode of interment was again supine inhumation, with the head to the west and, from the eighth-century, the body prepared for burial by the removal of ‘everyday’ clothing and the provision of a shroud, perhaps fastened with a pin (Daniell and Thompson 1999, 85). Modes of burial during the Christian centuries were by no means uniform or static, however, with a broad range of additional burial customs that elaborated on the basic rite just outlined in a wide range of geographical locations. The nature of these rites and their contexts is considered further in Chapter 5.

Distinguishing between deviant and normative burials after the Conversion is thus reliant on two aspects of the evidence, individual burial rites and burial location. Only recently has the complexity of burial location between the seventh and ninth centuries, prior to the widespread development of parish-church cemeteries between the later ninth and twelfth centuries, become apparent (Lucy and Reynolds 2002, 20–1). From the seventh to the ninth centuries, and probably later, small unenclosed field cemeteries existed in addition to enclosed consecrated cemeteries focused on superior, or minster, churches (Blair 2005, 243–4; Lucy and Reynolds 2002, 13). In general terms, the presence of deviant burial customs in combination with boundary locations allows execution cemeteries and deviant isolated burials to be separated from normative field cemeteries and other, if not entirely ‘normal’, burials such as individual interments at rural settlements.

Which burial practices, then, can be considered ‘deviant’ in the light of the norms outlined briefly above? For our purposes they include prone, or face-down, burials, decapitations and instances of the removal of other body parts, as well as burials treated abnormally, such as those covered with stones. Further burials that fall into our remit here are those marked by their liminal location. Burials of this latter type are almost entirely of the Christian period, and relate to developing historical geography. Practices involving the removal of body parts, prone burial, and stoning are found throughout the period, and provide one of the few aspects of mortuary behaviour that can be shown to exhibit long-term continuity originating in the pre-Christian period.

Only very generalized interpretive criteria, which do not adequately cover the range of evidence and circumstances suggested by the material from Anglo-Saxon England, have been published to date (Brothwell 1981, 1–2). Eight

causal factors are suggested here that might account for deviant burials in the archaeological record and these are: battle, execution, massacre, murder, plague, sacrifice, suicide, and superstition. These factors are not necessarily mutually exclusive, and the greatest difficulty of distinction on archaeological grounds is establishing the connection between mode of death and of burial. For example, the mode of burial will be directly influenced by whether the victim is buried by friend or foe, and by their knowledge of the circumstances of death and of the social norms governing the treatment of the dead in view of those circumstances. The motivation behind deviant burial might be superstition driven by a range of actual causes of death, while other cases might be more pragmatic, such as a murderer burying his or her victim or a warband throwing bodies into pits. Our task is by no means straightforward. To measure against these various potential 'producers' of extraordinary archaeological burial deposits, we have the evidence itself, which requires consideration in two fundamental ways.

First, there are the physical attributes of individual burials, and secondly, their contemporary geographical context; virtually all comment on deviant burials either side of the Conversion period has concentrated on the former aspect. How, then, might deviant burials be recognized in the archaeological record? Can distinctions be made on archaeological grounds between deviant burials brought about by the range of circumstances suggested above? The answer, up to a point, is yes, with the aid of written sources and historical geography.

Decapitations with multiple or excessively violent blows to the neck indicate that the individual concerned had been forcibly killed in a formalized manner (see Chapter 4, Decapitation). Ideally, osteological data will be available to establish whether decapitation was the manner of death or not, especially as surgical post-mortem removal of the head is known from Romano-British cemeteries (Clarke 1979, 374).

Circumstantial evidence, such as tied hands, supports forcible execution as the cause of death. In many instances, absence of cervical vertebrae, skulls, and other body parts, including hands and feet, is the only recorded indication of amputation. Without conclusive pathological indications that body parts were deliberately severed (such as cut-marks), taphonomic factors, including disturbance by animals and truncation by subsequent archaeological activity, must be considered. Despite the difficulty of distinguishing between pre- and post-mortem decapitation, much debate has tended to ignore the actual experience of victim and executioner, and a case is made in Chapter 3 that, to a degree, a distinction can be argued on pathological grounds.

From a specifically forensic perspective, an argument has been put forward that a rare condition termed 'cadaveric spasm' can be called on to account for certain instances of peculiar positioning of human remains in archaeological contexts, including the suggested Early Anglo-Saxon live burial from Sewerby

(East Yorkshire)(Knüsel, Janaway, and King 1996). In particular, the authors suggest that proposed live burials result instead from pre-burial instances of the rare condition, which 'is persistent and arises when death occurs in conditions of high nervous tension. While this condition is not common, it does occur in cases of suicide, murder and accidental death. It most commonly affects specific groups of muscles only, often in the hands' (ibid.123). Quite how live burial is discounted on these grounds is difficult to appreciate (ibid. 122). Tony Waldron has positively identified flexion of the hands in execution victims, although the few known examples also exhibit tied hands, suggesting death by hanging, and supporting the contention of Knüsel *et al.* that trauma evident in body positioning can indeed be experienced prior to burial (Waldron and Waldron 1988, and see Ch. 4 below). Knüsel *et al.* make an important overall point with regard to the need for a careful contextual assessment of burials with indications of trauma.

A further issue of significance is the nature of injury to the skeleton sustained during judicial hanging. Brothwell has argued that certain of the bog burials, including Lindow Man, had not been subject to judicial hanging, which, according to him, often causes cervical fracture, but instead were victims of asphyxiation (Brothwell 1986, 31). Other commentators, however, have noted that the 'running noose' method of hanging, in contrast to the 'long drop', 'cuts off the arterial blood supply to the brain by occluding the carotid arteries and also interferes with breathing by compressing the vagus nerves in the neck. There is usually no disarticulation of the neck nor is any bony damage caused' (Waldron 1989, 81). The long-drop method is an early modern innovation, first tried in 1760 at Tyburn with little improvement on the running noose, but first used extensively, employing elaborately upgraded apparatus, at Newgate Prison in 1783 (Gatrell 1994, 52–3). The machinery of execution was further modified, in particular throughout the nineteenth century, in pursuit of a level of efficiency that, on the part of the civil authorities of the day, was believed might help to maintain public confidence in its effectiveness in the light of numerous bungled executions (Atholl 1954, 103; Potter 1993, 101–2). While long-drop hangings are more likely to leave distinctive indications on the skeleton, a study of modern hangings, many of them suicides, concluded from the data-set used that only 8 per cent displayed fracture of the hyoid bone (in the throat), while fracture of the cervical vertebrae was found 'only when a substantial drop is involved in the hanging' (Ubelaker 1992, 1219). The hyoid bone itself very rarely survives in archaeological contexts, and even though elements of it might be preserved, they may not be recovered during excavation. The identification of Anglo-Saxon hangings, therefore, is much more reliant on circumstantial evidence, such as the tying and flexion of hands. It is possible, therefore, to restore the possibility that Lindow Man and other similar bog finds were indeed subjected to judicial-style hanging.

More debatable indications that a burial deposit might have been constructed with the intention of marking outcast or deviant status include crouched (flexed) burials, multiple interments, and graves where the minimum of effort has been expended and the grave is shallow or carelessly dug, all topics which are explored in greater depth in Chapter 3. A further aspect of burial positioning that deserves comment is the identification of tied or bound limbs. As noted above, tied hands are normally taken to indicate death by hanging, but the use of organic materials for the restriction of movement in the Anglo-Saxon period (see Ch. 1) has ensured that not a single burial has been found associated with the medium of restraint. The identification of restraint in a burial deposit therefore relies on a careful analysis of the positioning of the limbs or a bizarre body posture that could only result from trussing or binding. Hands crossed over the front of the pelvis present problems of interpretation, with the possibility that the hands were simply laid across the groin, a position widely attested in normative Christian burials (Daniell 1997, 118). Again, the archaeological context of individual graves is significant, while wrists crossed in unnatural positions, such as by the hip or behind the back, provide less contentious examples of restraint.

Beyond burials with obvious traces of trauma are burials of non-normative type, where geographical location is the principal marker of deviant status. An attempt will now be made to characterize and discuss the nature of archaeological deposits produced by the eight motivating circumstances suggested above for deviant burials, referencing a range of archaeological examples from across the Anglo-Saxon period.

Battle

Battle victims can be divided into two types: victims respectfully buried in normal community cemeteries (i.e. buried by their own side), and those buried in mass graves, either as a necessity to clear the scene of violence quickly by their compatriots, or, more likely, by their opponents. The number of burials likely to be involved is accordingly variable. Among the first type is the group of six adult male burials, of probable seventh- or eighth-century date, associated with a Roman villa at Eccles (Kent), whose injury patterns have been shown to relate to those received in hand-to-hand fighting (Wenham 1989; Geake 1997, 163). Injuries sustained during formal combat with edged weapons are characterized by blows to the head, shoulders, and upper limbs, while injuries suffered during a *mêlée* are likely to leave more complex patterns of damage (Wenham 1989, 137; Novak 2000; Inglemark 1939). Injuries to the lower limbs have also been recorded, and examples are provided below; these are likely to result from disabling blows prior to finishing the victim off with a blow to the head or torso (M. Brickley, pers. comm. 2003). A characterization of battle injuries according to specific patterning has also been made by an attempt to distinguish between the effects of conflict and defleshing on the

remains of indigeneous groups of the Northern Plains of North America (Olsen and Shipman 1994). The injury patterns of hand-to-hand fighting described by Wenham and others have also been recorded among British populations in other periods where edged weapons were used, from the British Iron Age through to the late middle ages, as at Towton (North Yorkshire)(Dent 1983, 125–6; Fiorato, Boylston, and Knüsel 2000).

Similar to the Eccles examples noted above are the twenty-two burials found during excavations at Shakenoak villa (Oxfordshire). Five had weapon injuries (nos. 1, 10, 14, 15 and 17), yet all of the burials were carefully oriented on the abandoned villa (Brodrigg, Hands, and Walker 1973, 33, fig. 16). One of the individuals bearing signs of violent attack (no. 17) lay within a stone-lined grave, similar to several others without indications of violence, while another (no. 15) was covered with large stones packed tightly within the grave-fill, a potential indicator of superstition surrounding this individual (*ibid.* 34; see Ch. 3 below). Weapon injuries ranged from a possible decapitation (no. 1), to blows to the head and arms in the other cases of trauma (Hughes and Denston 1968, 116–17; Denston 1973, 173–9). The suggestion that these remains are related to possible burials recorded in a charter boundary clause for Witney (Oxfordshire) dated 1044 (S1001) is considered further in Chapter 5 (App. 4, no. 132).

Further burials from Early Anglo-Saxon contexts are known, including the early sixth-century adult male from Puddlehill (Bedfordshire) who died from a savage sword-cut to the mastoid process below and behind the left ear, and the probable male in Grave 24, aged about 15, from the cemetery at Alton (Hampshire), who had suffered a cut across the knee (Matthews and Hawkes 1985, 87; Powers and Brothwell 1988, 59). Dating to the later ninth century, a male aged 35–45 in Grave 511 from Repton (Derbyshire) is suggested to have been killed by a knock to the head and a massive blow to the head of the left femur (Biddle and Kjølbye-Biddle 2001, 60–5), although the latter injury is anatomically very difficult to inflict as the head of the femur is protected inside the pelvic bone (S. Leach, pers. comm. 2003). The Repton burial is arguably that of a member of the Viking Great Army that occupied Repton over winter 873–4, an interpretation based upon the furnished nature of the burial, including a silver-alloy Thor's hammer pendant and an iron sword. This burial was soon followed by a further male, aged 17–20, laid in Grave 295, which lay parallel and to the north of Grave 511 (*ibid.*). The younger male had also suffered a potentially fatal injury to the right side of the skull. Both burials were then covered with a rectangular setting of rubble, incorporating at least five fragments of an Anglo-Saxon cross-shaft—a feature of not inconsiderable interest.

Late Anglo-Saxon examples of the burial of individuals exhibiting weapon injuries in community cemeteries are rare, but not unknown. Two sites provide clear instances; Portchester Castle (Hampshire) and St Andrew's, Fishergate, in York.

Portchester Castle is recorded as one of the major fortified sites in the kingdom of Wessex in the early tenth-century document known as the *Burghal Hidage* (Cunliffe 1976, 3). The site was still in royal hands by the time of the Domesday Survey in 1086, and thus a military presence is without question in the Late Anglo-Saxon period. Barry Cunliffe's excavations there between 1961 and 1972 revealed significant occupation spanning the whole of the Anglo-Saxon period, including a high-status residence of lordly or 'thegnly' type dated to between the tenth and early eleventh centuries (*ibid.* 125, fig. 99). The latest phase comprised a masonry structure, probably a freestanding tower, which attracted a series of nineteen burials, including Burial 8, a male aged between 20 and 25 who exhibited a cut to the left ramus of the mandible, interpreted as the result of a sword blow (Hooper 1976, 241–2). Hooper (*ibid.* 242) specifically notes how the angle of the blow and the direction from which it was sustained are distinctly different from those found on decapitated execution victims, such as those from Stockbridge Down (Hampshire)(see Ch. 4 below).

A final example is that provided by the excavation of the lost church of St Andrew at Fishergate in York (Stroud and Kemp 1993). The burial sequence there begins, most probably, in the mid-eleventh century, although origins for the church and cemetery in the first half of that century are certainly possible (Stroud 1993a, 251). The eleventh century phase of the cemetery contained sixty burials, with a distinct group of eleven male burials, including one sub-adult (although sexing of individuals below the age of 16 on visual grounds is virtually impossible), to the east of a postulated timber church laid out in two rows with one double grave (Kemp 1993, 131). Eight individuals amongst this group showed evidence of weapon injuries. The arrangement of these burials in rows suggests their contemporaneity, while injuries suffered to the head, back, upper arms and legs, and lower arms and hands are consistent with fatal battle wounds (Stroud 1993b, 238, table 50). Overall, a total of twenty-nine individuals with blade injuries were recognized, with five of these, four in double graves, belonging to the second phase of burial prior to the establishment of a Gilbertine Priory on the site in the late twelfth century, while the majority of the remainder are attributed to the priory phase. Of the double graves, each contained instances of weapon injuries, with only two individuals without visible signs of trauma (Burials 1894 and 2392). The association of the earliest phase of burials with weapon injuries and the presence of so many double burials supports their derivation from a single event, and Daniell notes that it was normal practice in the middle ages for the victor to allow burial by the losing side (Daniell 2001, 223). For example, a number of the victims of the battle of Towton (North Yorkshire) in 1461 were buried close to the battlefield in the parish cemetery at Saxton, although the remains had first been buried in mass graves (Fiorato 2000, 4). The Fishergate burials with weapon injuries from the pre-priory phase are thus best seen as men killed in a local battle, perhaps either that at Fulford or Stamford Bridge in 1066 (Stroud 1993a, 259),

and taken back for burial to their parish cemetery. The later burials there with weapon injuries are more scattered, and in a reassessment of the evidence Chris Daniell (2001, 223) has put forward the intriguing possibility that they are victims of trial by battle, on various grounds, including their prestigious locations within the later priory. Overall, the common features shared by all of the examples noted above are their patterns of injury and their location in contemporary community cemeteries.

The second class of battle victims comprise pit burials, of which the recently excavated mass burial relating to the battle of Towton is the best-excavated example and thus provides an archaeological type-site excavated to modern standards to compare with the report on the Wisby battle cemetery published in the late 1930s (Fiorato, Boylston, and Knüsel 2000; Inglemark 1939). Tim Sutherland's description and discussion of the character of the Towton mass grave provides a considered and careful analysis of the find (Sutherland 2000, 40–4). Sutherland concluded that the tight packing and regular orientation of the burials was possibly a result of the gravediggers minimizing their efforts and perhaps rolling some of the corpses into the grave, rather than respect for the deceased, although it is noteworthy that none of the burials had been thrown into the grave; victors burying the vanquished might have shown even less regard for the bodies (*ibid.* 40–1). Certain of the examples discussed below (under Massacre) may well be the burials of battle victims, although secure interpretation is precluded by a lack of data pertaining to the sex and age of the individuals involved and the precise disposition of the remains as found.

An early discovery of such a pit burial was made at Ashted (Surrey) in 1927 when a '[m]ass burial of uncertain date, largely consisting of mutilated and dismembered bodies [was] found in a pit, six to eight feet in depth' (Lowther 1957, 72). The find was attributed to the post-Roman period, and dates of the fifth and tenth or eleventh centuries were proposed, although Lowther had earlier suggested that the remains were those of Danes fleeing the battle of *Aclea* in 851 (Lowther 1951, 24). An execution cemetery of the later Anglo-Saxon period has recently been found in the immediate vicinity (Poulton 1989), and it seems likely that there is a connection between the two sites. The pit burial might represent either the interment of a large group of contemporary executions, or perhaps a group of slaughtered Vikings buried by the English in a place thought fitting for them; ultimately, the find is undated.

At Kintbury (Berkshire), the remains of at least three disarticulated males were discovered in a pit some 70m from the south-east corner of the churchyard of the Late Anglo-Saxon minster church (Ford 1994–7, figs. 1 and 5). The body parts, which include a cranium with a severe wound to the face and neck region, have been suggested to represent the burials of wrongdoers precluded from burial in consecrated ground (*ibid.*), and are dated to the Late Anglo-Saxon period. Perhaps the find represents battle victims buried by their opponents, or more likely (given that small portions of at least three individuals

are represented), charnel from gravedigging, as the minster cemetery may once have been significantly larger. Other similar finds are more difficult to interpret, owing to a lack of information about sex, age, and pathology, and they remain possibilities for the outcomes of battle, massacre, or plague. Examples include a pit burial discovered at Upton Grey (Hampshire) in 1968 that has been tentatively suggested to relate to a 'heathen burial' described in the 1046 bounds of Hoddington in Upton Grey parish (Aldsworth 1979, 176; S1013; App. 4, no. 70); pit burials at Fillingham (Lincolnshire), found 250m east of the parish church; and another at Little Downham (Cambridgeshire), also 'near the parish church' (Field 1983, 96–7; Meaney 1964, 64). The likelihood that wrongdoers would have been interred within any category of settlement in the Late Anglo-Saxon period is extremely unlikely, although unusual burial deposits are known from settlements and are considered variously throughout this chapter and in Chapter 5. In summary, the age and sex composition of the victims of battle should be of adult males with evidence for the distinctive injury patterns discussed above.

Judicial execution

Victims of execution for the contravention of social norms are much more difficult to recognize in the Early Anglo-Saxon period than later, for the simple fact that mechanisms of social control and the rites and religions of the period are so poorly understood. Within excavated community cemeteries of the early period the range of burial practices is often very broad, a factor usually explained as a reflection of the variety of kin- or family-based religion before the conversion to Christianity or, more recently, as a reflection of the distinctive nature of individual communities (Ellis Davidson 1964, 14; Hines 2002, 88). The positive identification of later Anglo-Saxon execution sites is aided by the small number of well-dated and excavated 'type-site' cemeteries, including Stockbridge Down (Hampshire) and Guildown (Surrey) (Hill 1937; Lowther 1931). The characteristics of these sites allow other similar, but otherwise undated, cemeteries to be set into context. The deviant burial characteristics of execution cemeteries are, variously, prone burials, multiple interments, decapitation, evidence of restraint, shallow and cramped burial, and mutilation.

Intercutting graves, indicating burial over a period of time, are common, in combination with varied orientation of individual graves. Finds are likely to be limited to low-status dress-fittings, indicating a lack of preparation for burial. Execution sites are normally located on principal administrative boundaries, associated with earthworks such as barrows or linear earthworks (see Ch. 4). The occurrence of tied hands, either behind the back or in front, is perhaps the most positive indication that a burial is that of a felon. Where clear skeletal evidence of the manner of death is absent, the presence of tied hands is best interpreted as evidence of hanging, albeit circumstantial. As noted

above, flexion of the hands has recently been recognized as an indicator of violent death; although flexion in itself does not demonstrate execution alone (Waldron and Waldron 1988, 445), it seems reasonable to infer that such individuals were restrained during a highly stressful death experience.

Massacre

Massacre is defined in the *OED* as ‘a general slaughter’ (Thompson 1995, 838). In common with battle victims, massacre burials can be divided according to who buried them and in what circumstances. As archaeological deposits, they are likely to be recognizable either as mass burials, implying an orderly clearing of the scene, or as numerous haphazard burials within a restricted locality, suggesting hurried and unceremonious clearance. Massacres are viewed here as the contemporary, or near-contemporary, deaths of two or more individuals not engaged professionally in warfare, that is, a non-combatant or captive population. Indeed, an Anglo-Saxon lawsuit of the late tenth century describes a massacre arising from the apprehension, and presumably judicial killing, of a certain Wulfbold (Robertson 1939, 129–31, no. LXXIII). Wulfbold had illegally taken possession of an estate after robbing another belonging to his stepmother. After his death, Wulfbold’s widow and son went to the estate that had been occupied and killed a king’s thegn, Earmær, Wulfbold’s uncle’s son, and fifteen others; essentially a feud had developed.

As noted above with regard to battle victims, archaeological traces of massacre must be considered in two respects, each with different characteristics. First are those victims buried by their kinsmen or compatriots, and second, those buried by the perpetrators of the attack. If families or kinsmen had access to the bodies, then they would surely receive normal burial in their family-, kin-, or home-settlement cemetery. The few examples of individuals with weapon injuries from churchyard cemeteries may represent such ‘dispersed’ massacre or battle victims.

Certain mass graves are likely to represent the burial of massacre victims by the perpetrators. In London, at the confluence of the rivers Fleet and Thames, eleven individuals found in a pit are dated to the Late Anglo-Saxon or Saxo-Norman period by ceramic associations (McCann 1993, 46–7). Interpretations proposed include battle, personal feud, judicial execution, Viking attacks, and civil unrest in London during the anarchy of the mid-twelfth century (*ibid.* 47–8). The disposal of more than five bodies in the same grave is unrecorded at execution sites, with the possible exception of Ashted (see above), and the unceremonious manner of the London pit burial suggests the hasty interment of attackers or defenders by the opposing side during a time of war or other civil unrest. It should be noted, however, that no evidence for trauma was observed on the eight skeletons submitted for detailed analysis. Sex and age composition of massacre groups is likely to be mixed and, of the London burials, one was definitely female and three male (Conheeny 1993, 1). Random mutilation may

also be present among massacre victims, although many injuries, including fatal ones, leave no trace on the skeleton (Wenham 1989, 123).

The remains of several partial skeletons in levels dating to the mid-ninth century at Coppergate, York, are a further possibility. A male aged 25–35 was found unceremoniously dumped in a pit, while the remains of other badly disturbed burials were found in contemporary deposits (Hall 1984, 45–7). None of the bodies displayed evidence of weapon injuries, although the manner of death will not always be apparent from skeletal remains because the immediate cause of death may relate to soft-tissue injuries. Richard Hall has commented that the bodies were probably disposed of by ‘the victors, not the vanquished’ (ibid. 47). In a similar vein, a pit cut through Late Roman levels in Canterbury contained the bodies of two adults, one male and one female, two children, and two dogs, but no evidence of trauma is reported in the published interim statement (Bennett 1980). Stratigraphically, the burial deposit was made during a hiatus in settlement activity in the vicinity, and the contemporary deaths of what is evidently a family group are difficult to explain, yet clearly unnatural. A massacre seems plausible, but disease is equally likely in the absence of evidence for trauma and the fact that the burials were furnished.

At Fordham (Cambridgeshire), four juveniles aged about 8, 9, 10, and 15 were recovered from a boundary ditch at the edge of a Mid-to-Late Anglo-Saxon settlement; they are dated to between the mid-eighth and tenth centuries (M. Brickley, pers. comm. 2003). Being juveniles, sex determination was not possible, but the elder two individuals had both received deep cuts to the neck. The 9-year-old was buried prone, with its head lying over the shoulder of the 15-year-old, although the stratigraphy was not adequate to distinguish whether the burials were part of a contemporary deposit, as is surely likely, or made over a period of time. Only the legs of the youngest child were excavated and recorded. In a careful analysis, Megan Brickley notes that the lack of defence injuries to the hands and forearms indicates that the victims were restrained, and thus more than one individual took part in the attack. Brickley also notes Iscan and Quatrehomme’s observation that chop wounds on modern murder victims are often located around the head, face, neck, and shoulders—a feature exhibited by several of the burials described above (Iscan and Quatrehomme 2000, 273). While the Fordham victims may have been members of an unruly gang (of children?), the circumstances of their death and burial is suggestive of a small-scale massacre and its summary clearance. Human remains from the latest phase of infilling of a Middle Anglo-Saxon ditch at Higham Ferrers (Northamptonshire) are more difficult to explain. The partially articulated remains of a woman aged 30–45 suggested to the excavators that the body was buried in two parts, while additional human remains, including two male mandibles, were found close by in the ditch filling. A radiocarbon determination for the female burial centres on the late eighth century (AD 680–900 at 95% confidence; Wk12318). Perhaps the remains represent clearance of a nearby

execution site (Hardy, Charles, and Williams 2007, 206–8), coincident with a major period of settlement and landscape change, but they remain problematic to interpret.

Murder

Murder is defined by the *OED* as ‘the unlawful premeditated killing of a human being by another’ (Thompson 1995, 895). In the event of a murdered person having been found, burial would probably have taken place in the community cemetery throughout the Anglo-Saxon period, although special treatments may have applied. Burial 171 from the cathedral cemetery at North Elmham (Norfolk) is one possible example. The corpse of a male with multiple injuries to the back of the head was found on the line of the cemetery boundary, although the stratigraphy was insufficiently clear to establish whether the boundary was laid over the grave or cut by it (Wade-Martins 1980, 186, fig. 158 and 188–9; Wells 1980, 366). Unusual circumstances seem to have applied to this individual, and the alignment of the grave suggests that it followed the cemetery boundary rather than vice versa. Whether the corpse was not allowed within the confines of the cemetery by church authorities, or whether it was buried surreptitiously by relatives as close to the consecrated ground as they could manage without obviously breaking ground within the churchyard, is impossible to determine. In addition, prone burials lacking pathological indications of the manner of death have been found in otherwise normative cemeteries. The late eighth- to late ninth/early tenth-century Cemetery 1 at Rivenhall (Essex) included a prone female (Burial 304) which had been interred in the upper fill of an earlier grave (Rodwell and Rodwell 1985, 82–3). The position of the corpse is difficult to explain, beyond the suggestion that peculiar circumstances surrounded her death. Rubble packing in the grave indicated the investment of additional effort in the burial, while the grave itself lay at the northern edge of the cemetery (*ibid.*, fig. 57). At Beckery Chapel (Somerset), the bodies of six Mid-to-Late Anglo-Saxons (Burials 1, 5, 20, 21, 27 and 28) found in the monastic cemetery there have been interpreted as individuals who had committed mortal sins or who were experiencing some form of penance (Rahtz and Hirst 1974, 33; Rahtz 1993, 120–1). The early monastic cemeteries at Wearmouth and Jarrow also contained prone burials, six and two respectively (Cramp 2005, 82 and 177). At both sites the prone burials lie at the limits of the cemeteries. If the example of King Pepin the Short is followed (see Prone Burial, in Ch. 3 below), it could be argued that the prone aspect reflects the sins of the murderer but that burial in consecrated ground is allowed to the victim. The practice of interring in consecrated ground in the prone position was evidently long-lived, as shown by the late medieval or early post-medieval burial of a male aged about 30 just to the north of the chancel of St Peter’s Church, Guestwick (Norfolk) (Rogerson and Williams 1987, 70, fig. 47; McKinley 1987, 74). The man had been buried very carelessly

and prone, with the skull detached from the body. Although there were no pathological indicators of the manner of death, McKinley (1987) raised the possibility of a violent end, and perhaps the person was murdered, with the prone aspect and decapitation reflecting age-old practice for those who had died in unnatural or unknown circumstances (see Chs. 3 and 5 below for further discussion of this).

Where the murder victim lay undiscovered, the archaeological manifestation should comprise a single burial concealed in a place unconnected to any other burial site, although there may be exceptions (see below). The hands are likely to be free, and the burial might well show signs of hasty/careless interment. Non-specific mutilation may be present and the age and sex of the victim are likely to vary. Excavated examples include the 50-year-old male from the east wing of the Kingsweston (Gloucestershire) villa, who was found in the filling of a collapsed hypocaust and interpreted by the excavator as the victim of a Viking attack (Boon 1993, 78–80). The man had suffered two massive blows to the head from a sharp-edged weapon. It seems unlikely that such thorough concealment would be carried out by a raiding party, and the find is best seen as a murder. The excavation of a Roman well on Poulton Down in Mildenhall parish (Wiltshire) led to the discovery of the body of a woman at a depth of 7.5m (Meyrick 1949, 221). Objects with the body included several beads, an iron knife, and two iron buckles suggesting a date in the sixth or seventh century, while the context of the discovery indicates foul play and concealment. Similarly, the body of a man judged to be in his early to mid-thirties, found at Cox Lane, Ipswich, had been thrown into an eleventh- or early twelfth-century pit full of burning timbers (Smedley and Owles 1964, 313), which, at this late date, suggests foul play and concealment with attempted burning of the corpse. The man had suffered a severe blow from an edged weapon which had left a cut running transversely across the cranial vault, as well as blows to the left femur, ribs, and right arm (Wells 1964, 329–33).

A final case dates from the fourteenth century, but, as a prime example of the reinterpretation of a well-trodden archaeological ‘factoid’, the so-called ‘Barber Surgeon’ from Avebury (Wiltshire) deserves mention here. Discovered during Alexander Keiller’s excavations in 1938, the Barber Surgeon has aroused considerable interest owing to the suggestion that he was trapped by the heel during the toppling of one of the megaliths that formed part of the great stone settings at Avebury (Smith 1965, 177). The likelihood that a person trapped only by the ankle would not have been freed, by only a very minor enlargement of an already substantial pit (into which the stone was pushed), is extraordinarily remote. Furthermore, unpublished notes on the skeleton have revealed observations of ‘two non-penetrating incised wounds’ (letter by Dr A. J. E. Cave, quoted in Pitts 2001, 133). A corpse left buried outside consecrated ground was a disturbing state of affairs in the middle ages, and it seems much more likely that the burial is that of a murdered man concealed

by the bulk of a probably freshly toppled stone, which settled slowly in its pit, crushing the ankle of the 'Barber Surgeon' against the edge of the stone burial pit as its filling became compressed. The full circumstances of the burial and its reinterpretation can be found elsewhere (Pollard and Reynolds 2002, 242–5; Pitts 2000, 133–4), but the 'Barber Surgeon' appears to be another example of concealment as a result of murder.

Most of the examples of murder and concealment described above betray considerable efforts to hide the victim. Studies of the disposal patterns of modern murders reveal that victims buried close to settlements tended to be interred at about twice the depth as those in remote areas (Hunter with Martin 1996, 88). Although the Anglo-Saxon cases cited here are nearly all from contemporary settlement contexts, the labour invested in their concealment broadly compares with the modern profile in similar situations.

Plague

Burials of plague victims are an exception to the normal mode of burial of a population. Rapid burial of plague victims, especially where large numbers of individuals died over a short time, are well-documented in the later medieval and post-medieval periods. In particular, urban environments would have been affected by the lack of space, and late medieval plague pits are known from several towns, including Hereford and London (Stone and Appleton-Fox 1996, 24–5; Hawkins 1990; Harding 1992, 121). It is possible that among the frequent multiple burials from Early Anglo-Saxon cemeteries, such as Barrington (Cambridgeshire), where fourteen double burials have been excavated, disease accounts for contemporary deaths within households, thus accounting for the wide variation in gender and age composition of this burial type (Malim and Hines 1998, 312–13; for a recent discussion of multiple burials, see Stoodley 2002). A multiple interment of five unfurnished individuals is known from the Early Anglo-Saxon cemetery at Bifrons (Kent) and suggested either to be a communal grave for slaves or the result of an epidemic (Hawkes 2000, 8); unfortunately, the grave was excavated in the late nineteenth century and very poorly recorded. In a Middle Anglo-Saxon context, the field cemetery at Sedgeford (Norfolk) revealed one grave containing the bodies of five individuals; disease seems a likely manner of death, in the absence of evidence for trauma (N. Faulkner 1999, pers. comm.).

The details of certain of the later medieval plague pits are worth rehearsing in order to define this class of burial. At Hereford Cathedral Close three plague pits attributed to the Black Death were excavated, which originally contained an estimated 300–400 burials. Despite the fact that the pits were dug in consecrated ground, unlike the other mass graves considered above, there were further indications in the contextual character of the deposits that mark significant differences to the battle and massacre burials. The bodies were carefully laid, according to normal Christian practice, while thin deposits

of clay were observed over discrete groups of burials within individual pits, suggesting that burial occurred in fits and starts within the eventual mass grave in contrast to the apparently single episode of mass burial indicated by the battle and massacre mass graves (Stone and Appleton-Fox 1996, 25). At the Royal Mint site at East Smithfield in London four large burial pits of the Black Death period contained a total of 400 bodies, again laid with care and oriented according to Christian practice (Hawkins 1990). A statistical study of the osteoarchaeological data from the Royal Mint burials revealed an apparently distinct palaeodemographic profile to the 'catastrophic' cemetery population, in comparison with the normal or 'attritional' cemetery population from St Helen-on-the-Walls in York (Waldron 2001; Margerison and Knüsel 2002). Margerison and Knüsel's study suggested that the plague-cemetery populations were characterized by a low proportion of infants and individuals in the 15–24 age range and a peak in the young adult (25–35) range (*ibid.* 141). There are difficulties relating to accurate ageing of human remains, and a further analysis of the Royal Mint material utilizing Bayesian statistics suggested that the age profile identified by Margerison and Knüsel was a reflection of this issue, and that instead the plague-cemetery population reflected accurately the documented mortality profile of later plague events in London (Gowland and Chamberlain 2005).

The most remarkable burials potentially of this type datable to the Anglo-Saxon period are those from Repton (Derbyshire). Here the remains of at least 264 individuals were found below a mound comprising the reduced remains of a probable Mercian royal tomb to the west of St Wystan's Church. The remains showed little evidence of personal trauma and were interpreted as the burials of soldiers of the Viking Great Army and associates (20 per cent were women), who had died in the period 873–4, some possibly earlier, and whose remains had been gathered and deposited around a 'kingly' tomb (Biddle and Kjølbye-Biddle 2001, 81). The close coin dating of the deposit and the lack of pathological indications of the manner of death makes epidemic disease a possible interpretation, although the absence of children might suggest otherwise. The digging at this time of the great 'D'-shaped defensive enclosure, which included the church, is likely to have disturbed pre-existing Anglo-Saxon burials, and the mass burial may incorporate a few or many bones derived from that event. The gender and age of plague victims should be mixed, while pathological indications of trauma, such as weapon injuries, should be absent.

Sacrifice

Detecting sacrifice in the archaeological record presents great problems, and, as with other types of deviant burial, there is a lack of definition. The *OED* defines sacrifice as 'the slaughter of an animal or person or the surrender of a possession as an offering to a deity' (Thompson 1995, 1212–13). Victims of religious sacrifice should perhaps be expected to display evidence for formulaic

killing, or evidence of other ritual behaviour such as burning and feasting, and the burials might be expected in proximity to high-status burials (Reynolds 1996; Struve 1967).

Hilda Ellis Davidson's discussion of human sacrifice in north-western Europe in the early middle ages identifies both archaeological and documentary evidence in the Scandinavian world for relatively consistent rites, often involving women killed as part of funeral rituals who were then buried with their deceased husbands (Ellis Davidson 1992, 337). The Repton find comprised four young people, with a sheep's jaw placed at the foot end of the grave, with a square setting of stone slabs, perhaps designed to hold a grave-marker on the southern side of the grave (Biddle and Kjølbye-Biddle 2001, 74, figs. 4.20c and 4.22). Although the sex of the individuals could not be determined, the circumstances are unusual, and in a Scandinavian context sacrifice is not an unlikely interpretation (Jesch 1991, 24–5), especially when considered with the proximity of the burials to the mass burial deposit and the inclusion of animal remains in the grave.

The deviant burials from Sutton Hoo, in particular, have prompted the need for a re-evaluation of the potential archaeological character of human sacrifice (Carver 1992, 353), even though the closest parallels are execution burials (see Ch. 4 below). Carver has proposed that the difference between an execution and a sacrifice may well have been difficult enough to distinguish for an eyewitness, let alone the archaeologist (*ibid.*), although the few written descriptions that exist of human sacrifice in an early medieval context, such as that recorded by Ibn Fadlan in the 920s in southern Russia at the funeral of a Viking merchant, are enveloped in complex rite and ritual of an explicitly supernatural and cultic variety (Ellis Davidson 1992). It appears that potential victims of Anglo-Saxon human sacrifice—and there seems, for some, little doubt that the practice played a minor role in Early Anglo-Saxon religious practice (*ibid.* 340)—were not committed to the ground with sufficient evidence to distinguish sacrifice from execution or other superstitious burial rites. The apparently radial burials from Cuddesdon invite such an interpretation (Reynolds 1996), as the description of the initial discovery implies a formulaic rite whereby all victims were at least committed to the ground in the same fashion, even if the mode of killing cannot be ascertained, although ultimately the primary account cannot be trusted and indeed contradicts itself with regard to the layout of the bodies (Anon.1847, 157–9).

The important point is that, in the limited documentary sources for human sacrifice, as summarized by Hilda Ellis Davidson (1992), the rites are formulaic. The opportunity to detect the kind of formulae that might be expected amongst sacrificial victims is only likely to be found in cemeteries where one kin or family group determined such practice. At Sutton Hoo the burial practices of the elite appear to be represented by the predomination of cremations placed in bronze bowls, and at this site the chance presents itself to assess the proposed

sacrificial victims within this paradigm, if the high-status occupants of the cemetery are accepted as related. As noted above, the deviant burials at Sutton Hoo are now seen as those of later Anglo-Saxon judicial execution victims (Reynolds 1996; Carver 2005) but, apart from the C14 dating that supports the execution view, the great variety of treatments exhibited by the Sutton Hoo deviants arguably rules out their role in formulaic religious sacrifice, unless rites associated with different deities are represented, some of which we may no longer have any knowledge of.

Positively identified examples remain elusive. In an English context, it seems that victims of human sacrifice are unlikely to figure significantly in the archaeological record beside possibilities in a Scandinavian milieu. Interestingly, Miranda Green (1998) has noted a similar scarcity of conclusive evidence in the European Late Iron Age, and, drawing on the evidence of classical writers such as Caesar and Diodorus, highlights the apparent contemporary suitability of criminals for human sacrifice. As Green notes, ‘there is a fine line between the sacrifice of an individual, who is specifically dispatched in an act of divine appeasement or thanksgiving, and the execution of a transgressor whose death was carried out as part of a religious ceremony’ (ibid. 174).

Suicide and superstition

Suicides are the most difficult burials to recognize, and beyond a possible link with superstitious indicators of deviant burial, there is little chance of achieving positive identification. Victims might be expected to be clothed (i.e. not prepared for burial, at least in a Christian context), and sex and age will be varied. In the Early Anglo-Saxon period burial will probably take place in a community cemetery, whilst in the Christian period burial is, perhaps, unlikely to take place in a churchyard but more likely at a ‘heathen burial place’ on a boundary or at an execution cemetery. Alexander Murray has identified just such a range of contexts and circumstances in his Europe-wide study of suicide in the middle ages (Murray 2000, 41–53). The evidence of Anglo-Saxon charter bounds suggests that the practice of crossroads burial, known conclusively from the late medieval period as a practice suitable for suicide burial, very likely has Late Anglo-Saxon if not earlier origins (Reynolds 2002; Ch. 5 below). As noted above, a few examples of prone burial from minster and churchyard cemeteries are known and it is possible that a superstitious motivation driven by a death in unusual or unknown circumstances prompted such rites.

DISCUSSION

Clearly, neither pathological nor contextual data are individually conclusive for providing a satisfactory interpretation of the circumstances of the various types of deviant burials. This is particularly the case where pathological traces

for mutilation are apparent but the corpse/s are from 'normal' cemeteries: massacre, battle, and murder are all equally viable explanations. Similarly, pit burials are problematic when antiquarian or other records of a poor standard are the only available accounts; suicides are archaeologically invisible, although crossroads burials are known from at least the Middle Anglo-Saxon period.

In the Early Anglo-Saxon period the absence of distinct execution cemeteries, in tandem with a lack of understanding of pagan religion, means that victims of religious sacrifice and judicial execution are likely to remain indistinguishable, if such a distinction was made at the time. Factors such as status, wealth, and the question of who undertook burial in individual cases present great problems. In the later Anglo-Saxon period execution burials are clearly identifiable owing to careful approaches to the evidence. Recognition is aided by a fuller knowledge of Christian burial customs provided both by archaeology and written sources, including Anglo-Saxon laws, poetry, and charter bounds, that describe collectively how executed offenders and others who had committed non-capital crimes should be buried in unconsecrated ground at the boundaries of estates (see Chs. 1 and 5).

With these working definitions in mind, and ideally a clearer view of the varying character and interpretation of non-normative burial remains, a review of past interpretations of deviant burials is offered below, dealing first with the Early Anglo-Saxon and then the Christian period.

Before the conversion to Christianity

Deviant burials and burial rites of the Early Anglo-Saxon period have been the subject of special attention, particularly since the discovery of the proposed 'live' burial in an otherwise normal community cemetery at Sewerby (East Yorkshire) in 1959 (Hirst 1985). Such burials of the early period are commonly the subject of a range of cultic or religious ritual interpretations, including human sacrifice, and it is of interest to note a contrast in interpretations with the post-Conversion period, where, with the exception of suggestions of possible sacrifices of Middle Anglo-Saxon date at Repton (Derbyshire), and Yarnton (Oxfordshire) (Biddle and Kjølbye-Biddle 1992, 45; Dennison 1994, 2), secular agencies are brought to the fore in interpretative discourse.

A judicial interpretation was proposed for the two female prone burials at the Early Anglo-Saxon cemetery at Worthy Park (Hampshire), however, where explanations were sought from the laws of the whole period (Hawkes and Wells 1975, 118–22), while recent publication of the cemetery omits discussion (Chadwick Hawkes and Grainger 2003). Ethelbert Horne, excavator of the seventh-century cemetery at Camerton (Somerset), suggested that an adult male there whose right foot had been amputated might have contravened Ine's late seventh-century laws relating to theft, which prescribed such a penalty (Horne 1933, 41; I 18 and 37). Indeed, it has been argued that the earliest written laws record a mass of ancient custom (Pollock and Maitland 1923, 26), but, apart

from the discussion of the Worthy Park and Sewerby burials, there has been little attempt to visualize systems of social regulation prior to the Conversion.

In the absence of reliable contemporary written sources, interpretations of the Early Anglo-Saxon cemetery evidence remain contentious. In a vehement criticism of the Sewerby interpretation, for example, it has been proposed that all examples of prone burial are due to post-depositional changes to the burial deposit, including the collapse of coffins (Reynolds 1988, 715–18). More recently, however, it has been argued that archaeologists are in danger of sanitizing the past, and that we should expect to find evidence of social phenomena such as ‘rape, murder, pillage, scape-goating and bloody revenge’ in the archaeological record (Hirst 1993, 43). At the Winnall II cemetery (Hampshire), occurrences of decapitation and stoning (weighting down) of corpses were explained as a pagan measure designed to prevent the ghost of the victim from walking (Meaney and Hawkes 1970, 31–2), a concept used previously to explain similar features in Roman cemeteries at Guilden Morden (Cambridgeshire) and Charlton Mackrell (Somerset) (Lethbridge 1936; Dewar 1958).

Further potentially significant evidence, such as the missing left hand from Grave 35 and the right hand from Grave 46 at Winnall II, were left unexplained when reported, even though both skeletons were well preserved (Meaney and Hawkes 1970, 17 and 19). At Marina Drive, Dunstable (Bedfordshire), the right hand of Burial D7 had been severed above the wrist and placed by the right thigh of the body; although mutilation was proposed its context was not explored (Brothwell 1962, 45). The most comprehensive studies to date of decapitation and prone burial in Romano-British *and* Anglo-Saxon cemeteries concluded that the motivation behind such practices was to deprive the individual concerned of his or her soul, and that this was equally applicable to victims of sacrifice and execution, and to prevent the corpse from haunting the living; or, in the case of certain decapitations, as the result of the head being carried elsewhere for burial (Harman, Molleson, and Price 1981, 168; O’ Brien 1999, 5–7). Robert Philpott’s detailed study of burial practices in Roman Britain, however, represents a rather more considered approach to the interpretation of deviant burials, with careful attention to contextual associations (Philpott 1991, 71–89). While Philpott’s conclusions fall within the traditional range, his study has important implications for the study of Anglo-Saxon deviant burials, largely in theoretical terms as opposed to direct continuity of practice; his themes are picked up in Chapter 3.

While the burial of wrongdoers in ordinary community cemeteries was apparently the norm in the early Anglo-Saxon period (Reynolds 1997, 35), previous commentators have suggested that the interpretation of all deviant burials in this way ‘might lead to an unacceptably high proportion’ of wrongdoers in the population (Harman, Molleson, and Price 1981, 168). The lack of a chronological and spatial analysis of the Early Anglo-Saxon evidence,

however, has blurred our view of this material, and is remedied in the new analysis of pagan cemeteries in Chapter 3.

Into the Christian period

It has been proposed that burials found outside present churchyards, in most cases those of former minster churches, are of normal type and that they were once within the bounds of formerly much larger cemeteries which were needed when the churches in question served large areas, or *parochiae* (Blair 2005, 467). A similar phenomenon has also been observed in France, where contraction is seen as a function of the sharper physical definition of space rather than resulting from a declining burial population (Zadora-Rio 2003, 13–16). An example of the contraction process is provided by the finding of otherwise normal inhumation burials some 30m beyond the west end, and without the churchyard, of the former minster church of St Andrew (formerly St Cuthman) at Steyning (Sussex) (Welch 1983, 457–8). Groups of undated skeletons not associated with churches present potentially the greatest problems of interpretation. Many are known, although without dating evidence it is hazardous to propose that such burials are of Anglo-Saxons, let alone those of executed felons. Much depends on the quality of the observation and recording of these finds. At Shepperton Green (Middlesex), for example, approximately twenty skeletons were found in an area at some distance from the nearest church and dated to before c.1000 (Canham 1979, 104). Despite limited recording, consistent orientation and a lack of deviant burials suggest either a lost church or, more likely, a post-Conversion field cemetery without a church (Blair 2005, 238–9). Current thinking now places such cemeteries in a regulated Christian context, as demonstrated most clearly at Chimney (Oxfordshire) (Crawford 1989), although they are considered further in Chapter 5.

Deviant burials close to, or within, churchyards have not been considered in any depth in the past, and yet there are skeletons found adjacent to the boundaries of churchyards, where a non-normative status is apparent. As noted in Chapter 1, it is likely that predominantly superior churches will have served a role in the judicial process, although post-Conquest sources also report claims to the right by ordinary manorial churches, as noted in Chapter 1 (Blair 2005, 448), and the laws generally forbid the burial of executed felons in consecrated ground from the tenth century onward (see Ch. 1). The single burial from the cathedral cemetery at North Elmham, noted above, is probably rightly interpreted as that of a murdered man rather than an execution burial, yet the latter remains a possibility (Wells 1980, 367), but two burials from Thwing (East Yorkshire) of eighth- or ninth-century date are more certainly the victims of formalized execution. The Thwing burials, both decapitations, lay to the north of a boundary ditch to a small cemetery associated with a timber building, perhaps a church (Manby 1986). A further decapitation burial from a rural churchyard is that from the small ninth- to eleventh-century manorial

complex at Ketton Quarry (Northamptonshire) (Meadows 1998). Excavations on the scale of those at the North Elmham cemetery allow for more soundly based conclusions to be drawn, although the excavation of later parish and monastic cemeteries has provided examples of individual excluded burials. At Yatesbury (Wiltshire), excavations by the present writer revealed a south–north female burial of probable twelfth- or thirteenth-century date just south of the medieval churchyard boundary, while excavations at the Hospital of St Giles at Brompton Bridge (North Yorkshire) revealed a single female inhumation of late twelfth- to mid-thirteenth-century date set just outside, and to the north, of the cemetery boundary there (Cardwell 1995, 215, fig. 51). The Yatesbury burial is potentially that of a suicide, or another mode of behaviour viewed very negatively by her local community, as the burial took place in a small plot otherwise reserved for the burial of animals, while no explanation was offered for the Brompton woman.

Unusual burials are also known from Anglo-Saxon urban sites, where interpretation has varied. At Jubilee Hall in *Lundenwic* (Middle Anglo-Saxon London) a prone adult male buried in a shallow grave, with a calibrated C14 date of 630–75, was interpreted as that of a criminal or outcast on the grounds of its posture and isolation (Cowie and Whytehead 1988, 56), while at Rangoon Street, London, two peculiarly disposed burials squashed into the same grave were considered to be post-Roman, although no interpretation was offered for the circumstances of this deposit (Bowler 1983, 13–18). Eleven individuals found in a pit at the confluence of the rivers Thames and Fleet in London noted above (see Massacre) have been subject to a series of explanations, including judicial execution, Viking massacre, and battle (McCann 1993, 49).

Execution cemeteries: discovery and interpretation

The first attempt to explore law codes in relation to an execution cemetery was made by the excavator of Stockbridge Down (Hampshire). The Norman Forest Laws of William Rufus were favoured as an explanation for the site's existence rather than the Anglo-Saxon laws (Hill 1937, 259), despite the finding of coins of Edward the Confessor with one of the burials (see quotation at the start of this chapter). Tania Dickinson's 1974 description of execution sites marked until now the only modern definition, and warrants quotation in full: 'Execution cemeteries, mostly dating from the Middle and Late Anglo-Saxon period onwards, were often associated with isolated hill-tops and particularly with barrows or ditches. They have other common features: the burials are usually haphazard and bunched together in heaps; a large proportion of the skeletons are decapitated and their hands are tied; they are normally adult males, and are usually buried in their clothes; so that small items such as buckles, rings, strap-tags and knives survive; finally, the sites are often associated with a hundred meeting-place, a market or major highway' (Dickinson 1974, 23).

Largely borne out by this study, Dickinson's description is both perceptive and largely accurate, although significant aspects of her characterization, such as the perceived high proportion of decapitations, require revision, as do certain of the suggested locational characteristics, namely the relationships between execution cemeteries and hundred meeting-places. For the greater part, recognition of execution cemeteries has relied on the presence of burials that display unusual characteristics, such as tied hands or decapitation. As the following survey of the principal published literature shows, dating is often wide of the mark.

The first published site where a distinct group of unusual burials was noted is that at Cuddesdon, where no explanation for the apparently prone burials was offered by the excavator (Anon. 1847). Secondary burials with the hands tied behind the back, found in a barrow at Old Sarum (Wiltshire), were dated to the Roman period and interpreted as captives or slaves, although the context of their demise was not considered (Blackmore 1894, 50–1). General Pitt Rivers's excavation of the great Neolithic long mound Wor Barrow (Dorset) revealed groups of shallow secondary burials, some decapitated, in and adjacent to the mound. These were seen as Romano-British execution victims, despite the presence of Early Anglo-Saxon metalwork at the site and the clearly residual nature of the few sherds of Romano-British pottery found with several of the skeletons (Pitt Rivers 1898, 79).

The 1920s and 1930s saw the discovery and excavation of a number of important execution cemeteries. The initial finding of two burials at the linear earthwork Bran Ditch (Cambridgeshire), thought to be sheep-stealers hanged in the early nineteenth century (Fox and Palmer 1926, 31), led to large-scale excavations revealing a large number of burials. Many of the skeletons displayed evidence of execution by decapitation, but the remains were seen instead as victims of a massacre ascribed to civil unrest in seventh-century East Anglia (Lethbridge and Palmer 1929, 93). These burials were subsequently interpreted as victims of a Viking massacre of 1010 recorded in the *Anglo-Saxon Chronicle* entry for that year and later elaborated upon by Henry of Huntingdon in his *Historia Anglorum* of about 1150 (Gray 1930, 77–87). After further discoveries of skeletons were made, later interpretation saw the burials as victims of battle between Britons and Saxons (Palmer, Leaf, and Lethbridge 1931, 56). More recently still, the site has been viewed as resulting from a battle or a massacre (Meaney 1964, 61), and it was not until David Hill's reassessment of the remains that the Bran Ditch was finally identified as a place of execution of the later Anglo-Saxon period (Hill 1976*b*, 127).

The first cemetery to be positively identified as an Anglo-Saxon execution site was that at Guildown (Surrey), located a short distance to the west of the Late Anglo-Saxon *burh* of Guildford. A small burial ground with late fifth-century origins, apparently centred on broadly contemporary barrows, had developed into a large sprawling execution site by the time of the Norman

Conquest (Lowther 1931, 33). Although a quantity of burials was ascribed to Earl Godwine's massacre of the ætheling Aelfred's retinue at Guildford in 1036, the presence of executed felons was proposed, with a suggested date range from the sixth to the eleventh century (*ibid.*). The description of the Guildford massacre provided in the *Encomium Emmae Reginae* (written in Flanders in 1041–2), however, describes how the victims were confined with manacles and fetters and then how, with their hands bound behind their backs, nine out of every ten men were speared to death (*Encomium* III. 4 and 5; Keynes 1998, p. xiv). It remains a possibility that some of the Guilddown burials result from that event, which recent opinion at least views as actually having happened (Keynes 1998, p. xxxi).

Excavations at the Five Knolls, Dunstable (Bedfordshire), revealed a large number of secondary interments in Mound 5, one of a group of prominent Bronze Age round barrows on the Dunstable Downs. The excavated burials were shallow, many had tied hands, some were in multiple graves, whilst others showed signs of decapitation. Although the burials were interpreted as executions, they were dated to the Roman or Early Anglo-Saxon period on the basis of residual finds, and in the absence of any record of the former presence of a gallows (Dunning and Wheeler 1931, 204–5). The dating and interpretation of the Five Knolls cemetery, however, received further attention with the suggestion that Mound 5 was a Late Anglo-Saxon execution site (Matthews 1963, 83–4), although an examination of the skulls concluded that the secondary interments were post-Conquest (Tattershall 1968). Craniometry is by no means a sound method of ascertaining the date of human remains, especially within such a limited chronological range and with remains from the same locale. When a list of Anglo-Saxon sites in Bedfordshire was published in 1985, the date of the latest burials was still in question (Matthews and Hawkes 1985, 109).

The discovery by J. F. S. Stone in 1930 of decapitated skeletons associated with a linear earthwork at Roche Court Down (Wiltshire), led to the recognition that there was an emerging group of sites with evidence of executions and that these were associated with earthworks, such as barrows and ditches (Stone 1932, 576). Stone's dating and interpretation were still far from satisfactory, and such burials were seen as Saxons killed by Romano-Britons (*ibid.*). His research suggested that such sites were almost entirely limited to Wiltshire, but that examples could be found on the county boundary where it ran with Berkshire and Dorset. Although alluded to in the Roche Court Down report and elsewhere (Stone 1932, 576; Dunning and Wheeler 1931, 204, n. 1), Stone's work on other supposedly similar sites was never published, and attempts to locate unpublished notes or other records have failed.

Excavations at Meon Hill (Hampshire) in 1932 revealed ten skeletons, some decapitated, interpreted as execution victims of the tenth or eleventh century, with one burial dated by a coin of Edward the Confessor to 1065 (Liddell

1933, 132). Importantly, the excavator noted that stratigraphic evidence for interment over a period of time precluded interpretation of the burials as victims of a massacre or battle, where one would expect all of the burials to be contemporary (ibid.). A few years later the finding of forty-one skeletons, many exhibiting signs of trauma, at Stockbridge Down (Hampshire), confirmed that there was a distinct class of execution sites (Hill 1937, 256). Other sites quoted by Hill as belonging to this class were Old Sarum, Meon Hill, and Roche Court Down, and common characteristics such as location on prominent hilltops, lack of consistent orientation, few finds, shallow graves, and crossed or tied hands were identified (ibid. 256–9). As noted above, despite the finding of six silver pennies of Edward the Confessor (Dolley 1957, 283–7), the site was initially dated to the post-Conquest period, an interpretation later restated (Hill 1937, 259; Eagles 1989, 97).

A major problem resulting in misidentification of execution sites has been the paucity of finds and the tendency for archaeologists working on post-Roman material to ascribe groups of unusual burials to historically attested battles or massacres. Indeed, such an interpretive strand can be seen to follow from that established in the nineteenth century with regard to attributing discoveries of furnished early Anglo-Saxon burials to battles documented in written sources, an approach that reached its zenith in the early decades of the twentieth century (cf. Leeds 1912; 1913). Even though the nature of execution sites had been clearly defined by the time the Stockbridge Down report was published, subsequent finds continued to be associated with warfare. Skeletons found at Great Bedwyn (Wiltshire) were observed to have been ‘slain in battle’, and were attributed to the battle of *Biedanheafod* recorded in the *Anglo-Saxon Chronicle*, s.a. 675 (Burne 1950, 403), the whereabouts of which is not actually known. Similarly, the discovery of two mutilated skeletons in a shallow grave at Bookham Grove (Surrey) led the excavator to explain them as members of a Danish army, either executed or killed whilst in flight from Saxons (Lowther 1957, 71). Although the Bookham skeletons showed clear evidence of having been decapitated from behind, it was thought possible that such injuries could be received in battle, although ascertaining the exact position of chop-marks is all-important. Other examples of such interpretations include the ‘war cemetery’ at Passenham (Northamptonshire), tentatively dated to 921, again on the basis of the entries under that year in the *Chronicle*, and the nineteenth-century and later discoveries of unusual burials associated with a long barrow at Portsdown (Hampshire), which were seen as an Anglo-Saxon battle cemetery, but with formal execution a possibility (Wilson and Hurst 1966, 172; Bradley and Lewis 1968, 49–50). In 1960 a group of six skeletons buried in a line of shallow graves was discovered on a hilltop overlooking the village of Aldbourne (Wiltshire) and interpreted as victims of a Civil War skirmish (Meyrick 1963, 48). Without dating evidence, and in the absence of contextual information, such finds remain obscure, although the message of

past interpretations is clear enough, being based on a view of civil disorder and social unrest; other potential examples of Civil War casualties are known from Oliver's Battery (Hampshire) and Maumbury Rings (Dorset) (Andrew 1932; Bradley 1976, 82–3 and 89–90).

Despite the recognition of execution sites in the 1930s, dating of subsequent finds continued to be questionable. In 1976 a group of apparently mutilated skeletons was found in a shallow trench immediately adjacent to the Iron Age hillfort at Wandlebury (Cambridgeshire) (Taylor and Denton 1977, p. xi). One of the bodies was buried prone, while another exhibited a cut-mark on the mandible, a classic indication of decapitation. Due to the proximity of the hillfort, an Iron Age date was proposed (*ibid.*). At Walkington Wold (East Yorkshire), excavations on the site of a barrow there revealed twelve secondary burials in shallow graves, with one triple interment and ten decapitations which were seen as executions and attributed to unknown events in the fifth century (Bartlett and Mackey 1972, 27).

More recent discoveries, however, have been properly identified, as at Ashted (Surrey), South Acre (Norfolk), Sutton Hoo (Suffolk), Old Dairy Cottage (Hampshire), Malling Hill (Sussex), Staines (Surrey), and Chesterton Lane (Cambridge) (Poulton 1989; Wymer 1996; Carver 2005; Reynolds 1997; Hayman and Reynolds 2005; Cessford with Dickens, Dodwell, and Reynolds 2007).

CONCLUSIONS

Despite the tendency for recent finds to be interpreted in a more considered fashion, the necessity for a careful review of the nature and range of evidence for deviant burials is unquestionable. This chapter has shown how a careful contextual assessment of burial evidence can reveal important but subtle traces relating to the circumstances of a given interment. Geographical indications of deviant status are considered in Chapter 5. An attempt has been made to provide parameters for interpreting unusual burials, and the following chapter examines the evidence from early Anglo-Saxon cemeteries.

3

Social deviants in a pagan society: the fifth to seventh centuries

The impression given by this skeleton at the time of excavation and subsequently is of a female fully dressed who was not fully dead when put into the grave. A possible explanation for the beads being round the back of the neck is that the string was fastened to a cloak which had slipped round back to front. The position of the legs suggests that after being pushed, put or dropped into the grave face downwards, the woman tried to force herself up onto her knees, but fell back with her lower legs and elbows bent up.

(Burial 41, Sewerby, East Yorkshire; Hirst 1985, 39)

INTRODUCTION

Thus runs the description of one of the most contentious Early Anglo-Saxon burials, and one that has ensured a continued interest in the more sinister aspects of burial in the pre-Christian period. Debate surrounding the Sewerby woman, however, has not yet taken place with a quantified view of the comparative data, and this chapter aims to provide a rather broader perspective on how Early Anglo-Saxon communities applied the various deviant burial rites available to them.

As the previous chapter showed, problems of recognition and interpretation of archaeological evidence are paramount concerns when attempting to identify burials of social ‘others’ in the archaeological record. Perhaps the most problematic aspect of the pagan-period material is that such burials are found almost without exception in otherwise ‘normal’ communal burial grounds. A second concern is that many inhumations exhibiting deviant burial rites are furnished, sometimes quite richly. These features are fully addressed below. Accordingly, burial rite is the prime indicator of deviant status in the early period. Indeed, the significance of burial location can only be understood after identification; it is not a distinctive feature in its own right, unless a burial is evidently made at some distance from a given cemetery. The evidence is categorized here according to modes of treatment of corpses, and with certain burial

types, such as prone burials, analysed with regard to national distributions. The spatial patterning of deviant burials within their respective cemeteries is considered specifically in Chapter 5, where a long-term view is taken of pattern and process in the treatment and placing of deviant burials in the landscape from the fifth to the twelfth century.

Prone burial and decapitation, along with other practices such as stoning and amputation, have long been recognized as indicators of a distinctive attitude towards the dead in Early Anglo-Saxon cemeteries. Yet there has been no comprehensive analysis of the material with regard to questions of chronology, patterns of sex, and geographical distribution, let alone any broader consideration of the interrelationships and associations between deviant burials and other interments at cemeteries where both are found.

The basis for any consideration of decapitation and prone burial for the last twenty-five years has been the discussion by Harman, Molleson, and Price (1981), which provides a useful preliminary list and review of the range of possible motivations for such practices, but which neglects issues of chronology. Sue Hirst's subsequent examination of the prone burial rite, with specific regard to the proposed live burial at Sewerby (East Yorkshire), provided the first detailed discussion of early medieval deviant burial (Hirst 1985). Harman, Molleson, and Price placed emphasis on an apparent association between prone burial and decapitation, working from the premise that the motivation for each rite was similar, and there seems no good reason to doubt their contention that the primary aim was to prevent the corpse returning to haunt the living (Harman, Molleson, and Price 1981, 168). More recently, David Wilson and Elizabeth O'Brien have reviewed various deviant burial types in Early Anglo-Saxon England, reaching effectively the same conclusions as earlier writers (Wilson 1992; O'Brien 1999). Little more has been made of this material since then, although Sam Lucy and the present writer have recently shown that prone burial in Anglo-Saxon England appears to represent a re-emergence of the rite during the later sixth century, as opposed to continuity of Late Romano-British practice as has often been claimed (Faull 1977; Roberts and Cox 2003, 168; Lucy 2000*b*; Reynolds 1998). A new analysis is presented below.

INDICATORS OF DEVIANT BURIAL IN THE EARLY ANGLO-SAXON PERIOD

The characteristics commonly taken to denote deviant burial in Anglo-Saxon cemeteries are crouched burial, multiple burials, shallow and cramped burials, prone burial, decapitation, stoning, and evidence of restraint, mutilation, and miscellaneous disrespectful treatment of corpses. Helen Geake defined early medieval 'deviant' burials, referring in particular to interments of seventh- and eighth-century date (Geake 1992, 87). The chronological range of Geake's term

is extended here to include burial evidence from the fifth century through to the eleventh or twelfth, focusing on the earlier material in the present chapter. The characteristics and potential motivation of each of the deviant burial types noted above are discussed below and, where appropriate, classifications are proposed.

Within the corpus of deviant burials, four basic categories of interment are evident with regard to grave furnishing. The first of these is unaccompanied burials; the second is poorly furnished interment, where grave finds, often single objects, are limited in range, and include iron buckles, knives, animal bone, and pot sherds. Burials of the third type are those that contain what might be termed 'standard' kit: a brooch or pair of brooches, beads, a knife, and perhaps one or two other trinkets with a woman, and in the case of male graves a spear, knife, buckle, and shield boss. Burials of the fourth type contain extraordinary objects or materials that, in the case of deviant burials, are mostly limited to a group of exceptional women's graves. It is not the intention in this analysis, however, to examine the various artefacts found with deviant burials utilizing techniques such as 'scoring' of objects on the basis of their number and rarity in individual graves or correspondence analysis, nor to address debates about the subtleties of artefact chronology.

Before discussing deviant burials suited to such a label, crouched burial, multiple burials, and shallow and cramped burials are addressed, if only to rule them out as specifically deviant rites with necessarily negative associations. Four types of burial are classed as deviant in the present analysis; prone burials, decapitations, burials covered with stones, and interments where the amputation of limbs is recorded. The positive identification of formal execution burials datable to the period before the conversion to Christianity is problematic, and it will suffice for our purposes to discuss examples where some form of extraordinary treatment is indicated in the burial deposit. As highlighted in Chapter 1, Early Anglo-Saxon deviant burials are more likely to reflect a range of community-determined practice as opposed to formal judicial behaviour. The social context of deviant burial rites is considered fully below.

Crouched burials

In the Early Anglo-Saxon period crouched burials are known as an exceptional but widespread rite. A purely pragmatic interpretation suggests that crouched burial results from squeezing bodies into graves that are too short (Cook and Dacre 1985, 56), although this is perhaps the least convincing explanation. Sue Hirst suggests that they may belong to the same class as prone burials, being hasty or careless interments (Hirst 1985, 36; Young 1975, 152). There are, however, great differences in emphasis between these two modes of burial (see 'Prone burials', below). Lewis Binford has summarized interpretations of the crouched or flexed burial rite, and these range from the 'foetal' or 'rebirth' concept to fear of the deceased (Binford 1972, 218). In a specifically Early

Anglo-Saxon context, Margaret Faull proposes that crouched burials may represent the continuation of native British burial practices or, furthermore, that the crouched burial rite was used as an ethnic indicator in an 'Anglo-Saxon' funerary context with native Britons receiving such treatment (Faull 1977, 9).

More recent writers have expressed caution about this 'ethnic' view, based upon the fact that the practice is not widely evident in late Roman cemeteries after the second century AD and is also found in the later Christian medieval period (Philpott 1991, 71; Crawford 1997, 65; Sherlock and Welch 1992, 27, quoting Cramp 1981, 46; 1982, 35–6; 1983, 270). Presumably, if British ethnic groups practised the rite it would have been much more widespread in the earliest 'Anglo-Saxon' cemeteries. Indeed, Sam Lucy's analysis of the rite in East Yorkshire suggested that the custom is much more common in later cemeteries than earlier ones, and she proposes that the rite is simply one of a range of alternatives to supine inhumation (Lucy 2000*a*, 80–1; 2000*b*, 14).

Two explanations are perhaps best suited to the evidence. First, crouched burial could be seen as a rite dictated by family, kin, or community practice, with the sphere of prescription perhaps reflected in the degree to which it was applied in a given cemetery. As Sam Lucy has highlighted, the rite is dominant in certain cemeteries, persistent in some, and rare in others (Lucy 2000*a*, 80). Alternatively, the burial position arguably represents the attitude of the body at the time of death. In the latter situation, burial in the crouched position was perhaps utilized by communities whose religious practice involved a concept of rebirth (Ellis Davidson 1964, 14; Meaney and Hawkes 1970, 29; Philpott 1991, 71). A crouched position may also indicate that bodies were tied up. In conclusion, it is proposed that crouched burial is not a characteristic of deviant burial and is best placed with supine inhumation as, in itself, a 'normal' burial rite, albeit undoubtedly meaningful in its own way.

Multiple burials

Interest in multiple burial lies in the likelihood that more than one individual died at roughly the same time, and that one, or all, of the deaths may have been unnatural. First, however, some terminology is necessary. There are two types of multiple burial: vertical multiple burials, where one corpse is interred above another; and horizontal multiple burials, where the bodies are laid side by side. Wilson has suggested that the latter type had no religious or ritual significance, but that the former type, in certain circumstances, may well have done (Wilson 1992, 71–2). What is more likely is that both types had ritual significance, involving precisely the same ideology. The major difference between the two, where foul play is not suspected, is one of chronology, and even then there is likely to be significant variation between individual examples with regard to the time-lapse between the primary and secondary interments in the case of vertical multiple burials. The digging of a grave wide enough for two corpses suggests near contemporaneous death, or at least burial, whereas

vertical multiple interment is more likely to represent a time-lapse such as is observed in present-day burials of close relations.

Nick Stoodley's recent study of multiple burials in forty-six Early Anglo-Saxon cemeteries considered a range of interpretations, including a lack of cemetery space leading to multiple interments, and also the possibility that the nature of underlying geology at certain cemeteries may have impeded gravedigging, although he found little evidence to support either view (Stoodley 2002, 105). Stoodley also notes that 5.4 per cent of burials per cemetery is the average from his sample, but that ideally fully excavated cemeteries are required for such estimations to be soundly based (*ibid.*). Further observations include the suggested increased popularity of the practice in the seventh century, and the fact that almost a third of vertical multiple burials had resulted in serious disturbance to the primary burial (*cf. ibid.* 110, fig. 1). The latter observation suggests that the disturbed graves should be compared with the reuse of burial plots and the unceremonious turning out of primary burials often seen in later Christian cemeteries, as at Buckfastleigh (Devon) and Raunds (Northamptonshire) (Reynolds and Turner, in preparation; Boddington 1996). Stoodley suggests that there is no reason to suppose a relationship, familial or otherwise, between the individuals involved in such burials (Stoodley 2002, 114), while in other instances he notes that multiple graves could be placed in a liminal location as at Bidford-on-Avon (Warwickshire), where the four such graves were all located at the eastern extremity of the cemetery (*ibid.* 120).

The possibility that suttee-type burials exist in the archaeological record has received much attention (Hirst 1985, 41–3; Wilson 1992, 73–4). Known largely as a Viking practice, where a widow is either killed or takes her own life, to be buried with her husband, suttee is documented throughout Europe over a long period and there are a number of Early Anglo-Saxon burials which have been suggested as candidates (Jesch 1991, 25; Hirst 1985, 42). In addition, the non-Germanic Wends of continental Europe are recorded as according particular respect to women who gave their lives in a suttee ritual (Talbot 1954, 123). Table 1 shows the sex associations in double burials that include prone, decapitated, stoned, or amputated individuals, and are thus suggestive of the unnatural death of the individual so treated; figures are derived from Appendix 2. The possibility that suttee was practised in Early Anglo-Saxon England is supported by the observed contrast in the treatment of the burials involved. The principal burial, either male or female in an English context, is often well furnished and carefully laid out, while the aspect and lack of accoutrements displayed by the—usually female—upper burial normally provides a stark contrast. The well-known Sewerby grave is discussed in detail below, but a further example of interest to our discussion is one from Snape (Suffolk). There a large grave had been dug, probably with the intention of receiving two individuals. A well-furnished woman lay within, while the body of an individual of undetermined sex lay on its side, folded around the

Table 1. Double burials containing deviant types from Early Anglo-Saxon cemeteries. In each case the deviant type is referred to first. Male with male refers to the fact that in the single instance recorded of such a relationship, the burials lay side-by-side and not one above the other

	Prone	Decapitated	Stoned	Amputation
No. of male with male	1	1	1	0
No. of female above female	2	0	1	0
No. of female below female	1	0	0	0
No. of female below male	0	0	1	0
No. of male above female	1	0	1	0
No. of female above male	1	1	0	0
No. of male with child	1	0	1	0
No. of child with female	0	2	0	0

northern (head) end of the grave (Filmer-Sankey and Pestell 2001, 248–9). The ‘extra’ body in the grave, given its position, lack of furnishing, and clear contemporaneity with the principal burial suggests the deliberate killing of one individual in order to accompany another in death. In the case of the Snape and Sewerby graves, however, the principal occupants are women, and so an explanation beyond a woman offering her life to her husband in death needs to be sought that explains the presence of ‘others’ in such graves. Judith Jesch notes Viking-age burials from Dråby and Gerdrup in Denmark, the latter dated to the early ninth century, where women were buried with men who had been killed, and she suggests that they were to accompany the men into the other world (Jesch 1991, 25).

Where women are buried above men in deviant style, it might be possible to suggest that they had contravened rules of widowhood, although virtually nothing is known about the role and status of widows in the earliest Anglo-Saxon society. In a Late Anglo-Saxon royal context, Pauline Stafford has noted how widows (and orphans) were vulnerable and likely to lose power after issues surrounding the death of a husband were resolved (Stafford 1983, 174). Interestingly, Stafford also recalls instances of a number of early medieval widows who were either persecuted or murdered on the grounds of inter-familial feud, including the seventh-century Northumbrian princess Osthryth, who was killed by the Mercians, potentially as a vengeance killing as they believed she had caused the death of her sister’s husband, King Peada of Mercia (*ibid.* 46). The point of noting the story here is that issues surrounding the forcible killing of a woman in early medieval society may not even involve her directly, although a state of widowhood might bring about her end.

As noted above, instances of women forcibly killed in order to accompany men in the grave are known from a Viking cultural context; for example, the woman who had died from a blow to the head who was interred above a furnished male at Ballateare on the Isle of Man (Bersu and Wilson 1966). The present analysis, however, has located only two examples of such a relationship

in an Early Anglo-Saxon context, in Grave 166 at Castledyke (Lincolnshire), and at Farthingdown (Surrey), where a woman lay prone, without grave finds, above two males. In the first instance, however, the lower burial was of a possible male aged 15–18, while the prone woman sprawled above was aged 45 or older (Drinkall and Foreman 1998, 83–4). In the second case, again a middle-aged woman lay above younger males, in this case a 12-year old-boy and a ‘young man’ (Hope-Taylor 1950, 170). Clearly, other factors are at work here. Ultimately, it should be borne in mind that instances of deviant burials in association with other more normative burials are very rare overall, and even if certain examples are those of suttee type, the rite was evidently not a common one. Early Anglo-Saxon cemeteries with a high proportion of horizontal multiple burials, such as those recently found at Edix Hill (Cambridgeshire) (Malim and Hines 1998, 312–13), are probably best explained as the end-result of contagious illness or recurrent plague in a small rural community. Indeed, such an interpretation would explain the great variability of age and sex composition of multiple burials both at Edix Hill and elsewhere.

Overall, it seems that neither vertical nor horizontal multiple burials from Early Anglo-Saxon cemeteries are generically connected with execution or outcast status. Instead, they should be viewed as ‘normal’, if infrequent, modes of burial, perhaps prompted by the unwelcome nature of the contemporary death of two or sometimes more individuals in a small rural community, as Stoodley suggests (Stoodley 2002, 121), unless prone or decapitated individuals are involved. As Table 1 shows, multiple burials where there is a deviant component are very rare, and while there is no good reason to deny the likelihood that suttee-type ritual occurred in pre-Christian Anglo-Saxon society, the extent of such practice seems extremely limited on the basis of the archaeological evidence. It is always possible that attendants sacrificed to accompany others in death might be buried in adjacent graves, in which case they would be largely, if not totally, indistinguishable in the absence of evidence for trauma.

Shallow and cramped burial

The original depth of graves in Anglo-Saxon cemeteries is difficult to determine, unless by some chance the ground surface from which the grave was cut has been preserved, as with the cut of Grave 41/49 at Sewerby (East Yorkshire), which was sealed by a layer of chalk rubble (Hirst 1985, fig. 16). A number of factors, therefore, need to be taken into consideration before conclusions based upon grave depth are made. If the site lies on a slope the higher graves are more likely to have been eroded by ploughing and natural gravitational processes, whereas such material might well protect the lower graves. Similarly, graves originally covered by cairns or barrows whose traces have been completely obliterated may give an impression of being flat graves, but may be of greater surviving depth than other surrounding graves due to differential preservation

of ground surfaces. It has been argued, for example, that barrows of the later sixth and seventh centuries have survived due to their location on marginal land, whereas those of the fifth and earlier sixth centuries have disappeared without trace due to their situation in areas less favourable to their preservation (Ozanne 1962–3). In other cases, graves appear to have been dug to a greater depth in specific parts of a cemetery, as at Wakerley (Northamptonshire), where the graves were progressively deeper toward the western side of the cemetery (Adams and Jackson 1990, 74).

Ensuring that the above factors are taken into account, comparative depths have the potential to reveal information about the status of burials based on the concept that investment of labour in the burial rite reflects social status in life (Binford 1972, 226; Tainter 1975, 2). A further point of particular importance, and one which is explored further in Chapter 4, is that it is possible to observe in several cases a greater expenditure of labour in deviant burials, thus providing a theoretical contrast to the propositions of Binford and Tainter. At Norton (Co. Durham), for example, the prone burials in Graves 28 and 91 both lay in well-defined and comparatively deep graves, although others, such as Graves 17, 47, and 84, lay in shallow hollows or on the surface of the subsoil (Sherlock and Welch 1992, 26). At West Heslerton a similar picture emerges whereby certain prone burials were among the shallowest graves, for example Graves 6 and 17, while others, including Graves 89 and 113, were among the deepest interments (Haughton and Powlesland 1999, 88 and 371–4). In conclusion, shallow and cramped burial is not a feature solely of deviant burials and is a common characteristic, for example, of Conversion period ‘Final Phase’ cemeteries (Meaney and Hawkes 1970, 29), while shallow graves are common throughout the Early Anglo-Saxon period.

PRONE BURIAL

Prone, or face-down, burial has long been recognized as an indication of special treatment of a corpse. Since Hirst’s important review it has been accepted that this particular mode of interment probably has a range of likely causes unified by a superstitious attitude to the dead concerned (Hirst 1985, 36–7). The motivating factors behind prone burial have not been considered before for the whole Anglo-Saxon period, and one recent commentator has said that ‘there seems to be no pattern to this type of burial and certainly nothing to indicate its regular adoption as a mark of punishment, although it always possible that we are unable to decode the “language” of such burials’ (Wilson 1992, 82). The discussion that follows attempts to redress this view, by reference to a much-expanded body of data than that utilized previously, and by basic spatial analysis in Chapter 5. In general terms, the perceived variability of prone burials has led to the conclusion that there is no uniform

or universal pattern to them. This view is based largely on differences exhibited in grave furnishing, apparent care or otherwise in the disposition of the body, and the widely varying orientation of graves. What unites them, of course, is the prone aspect that, as is argued below, is a powerful rite that must have been enacted very consciously by a burial party fully aware of its social meaning.

Before the evidence is discussed, one proposition can be dismissed at the outset: that prone burial might result from post-depositional, taphonomic changes to the burial deposit (Reynolds 1988, 715–18). This is extremely unlikely, and as Wilson has rightly pointed out, if we accept supine burials as a standard rite then we must accept prone ones as deliberate acts (Wilson 1992, 81). A further suggestion, that prone burials could result from an accident during the lowering of the corpse into the grave (Rolleston 1869, 477; Genrich 1981, 60), is also unlikely. Relations or others among a burial party are unlikely to have left the recently departed in a position that, it is argued below, represented a mark of particular suspicion and superstition: even when wrapped tightly in a shroud, the form and disposition of a corpse is clearly discernible (A. Reynolds, pers. obs., Aksum, Ethiopia 1995). One suggestion is that prone partly disarticulated burials may result from reopening a grave and ‘laying’ a corpse so as to render it safe to the living (J. Blair, pers. comm. 2006).

The suggested motivations for prone burial are varied, but there is general agreement that the inference to be drawn is that the body position was chosen both to allay the concerns of the living and as a mark of shame related to the actions of the deceased. It is worth noting in this context, however, that the only documented example from early medieval Europe counters this assumption, and it is suggested below that prone burial was applied in a wide range of circumstances. In Carolingian Gaul, King Pepin the Short (d. 768) was buried prone with his face turned to the east, on account of sins committed by his father, a process that echoes the murder of the Northumbrian princess Osthryth noted above in terms of the ‘onward transmission’ of the guilt of another. Associations with the devil, based largely on nineteenth-century evidence, and judicial punishment in the broadest sense have been proposed as explanations in other cases (Salin 1952, 220–2; Kyll 1964, 147–79; Hawkes and Wells 1975, 118–22).

In her consideration of Early Anglo-Saxon examples from northern England, Margaret Faull cited the interment of two eighteenth-century female bards, buried prone because they had defied social convention by taking up roles traditionally the preserve of men and this had undertones of witchcraft (Faull 1977, 9; Matheson 1951–2, 15–16). The suggestion that prone burial was to be associated with witches was first made by Karl von Amira (1922, 179), and it has been posited that male examples may represent warlocks (Sherlock and Welch 1992, 26). As with crouched burials, Faull suggests that

prone burials may also represent British survival, but her tentative conclusion was that (in northern England) they represented the burials of individuals who did not fit into society after the mixing of Celtic and Anglo-Saxon culture (Faull 1977, 9). Elsewhere, such as at Swaffham (Norfolk), the practice has been interpreted as marking an act of treachery or cowardice (Evison 1987, 134).

In a recent analysis of prone burials in Roman Britain, four groups were identified: those with signs of coercion such as tied hands; those which appeared hurried but without signs of trauma; simultaneous vertical double burials; and burials which had received aspects of 'normal' burial rites in community cemeteries (Philpott 1991, 72–3). This classification has certain problems that are relevant to the classification of Anglo-Saxon examples. In the first instance, Philpott's distinction between his group one and two relies solely on a situation whereby traces of coercion, such as pathological evidence and circumstantial evidence such as tied hands, remain evident in the burial deposit. This in turn relies on the assumption that those undertaking the burial would not have interfered with the corpse. With certain later Anglo-Saxon execution victims, for example, it seems likely that they were hanged, probably with the hands tied, and then stripped prior to burial with the resultant loss of evidence (Lethbridge and Palmer 1929, 82). Furthermore, it is well known that soil conditions can adversely affect human remains, with the result that traces of trauma can be lost (Harman, Molleson, and Price 1981, 165). Philpott's third class consists of prone burials interred immediately above a supine burial, and these were interpreted as the burials of married couples or close relatives who died within a short time of each other.

Multiple burials have been considered above, but in this discussion some attention should be given to the suggested live, prone burial from Sewerby (Yorkshire East Riding). The burial in question was that of a woman aged 35–45, accompanied by grave finds including a perforated jet disc, a knife, an iron buckle, two bronze annular brooches, and a string of beads; namely, dress accessories. Immediately below was the supine burial of a female aged 17–25, within a coffin and with a range of high-status artefacts. It has been suggested that the upper burial is that of a woman put to death perhaps for causing the death of the younger woman by witchcraft, illustrating further the assumed superstitious connotations of prone burial (Hirst 1985, 41).

Numerous objections to the live-burial hypothesis have been raised, including the observation that the burial of victim and perpetrator in the same grave would be extremely unlikely (Wilson 1992, 75). The fact that the two burials were separated by 0.3m of grave-fill, however, provides reasonable grounds to discount the lower burial from the debate, and in a truly stratigraphic sense the two deposits could be argued to mark separate, successive events. If it is accepted that certain multiple burials are those of persons who died within a short time of each other, then in this instance we should, perhaps,

expect to find the women closer together. Furthermore, as noted above, Nick Stoodley's analysis of multiple burials revealed many instances of reuse of a grave where the primary interment was disturbed rather than purposefully associated/respected by the successive interment.

The finding of fly puparia in Grave 12 at Sewerby hints at the exposure of corpses for a period of time (Hirst 1985, 31), and lends a little further weight to the contention that, had a link existed between the two women in grave 41/49, they would have been interred directly together. Hirst has argued that the burials are contemporary and that the chalk rubble spread over the grave represents the final sealing of the deposit after the deposition of a small, copper-alloy-bound wooden vessel (*ibid.* 38–9). As an alternative scenario, it is possible that the vessel was placed in the upper grave-fill of the lower burial only to be disturbed at a later date by the upper burial. The chalk-rubble capping of the grave might, perhaps, be best explained as a move to mark clearly the burial of one considered suspicious in death, a factor observed in a number of other prone burials (see Chapter 5). Additionally, the rubble might reflect a further attempt to prevent the upper corpse from 'walking' back into the world of the living.

Further contributions to the live-burial debate include the discussion by Knüsel, Janaway, and King of the possibility that the condition known as cadaveric spasm, noted in Chapter 2, might account for the contorted position of the Sewerby woman (Knüsel, Janaway, and King 1996). While pre-burial trauma might arguably account for her pose, it remains that there is no good reason to dismiss the possibility that she was indeed buried alive, and it is perhaps naive to assume that such events did not occur in the early middle ages. The beehive quern fragment found on the woman's lower back, as noted by Hirst, may not have weighted the woman down, but if thrust onto her from above the head by an onlooker, a painful injury could have been inflicted. With the lower burial potentially removed from discussion of the Sewerby prone burial, clearer parallels exist with the prone females from Graves 43 and 78 at Worthy Park, Kingsworthy (Hampshire), Grave 70 at Camerton (Somerset), Grave 67 at Dover Buckland (Kent), Grave 64 at Mitcham (Surrey), and Graves 28, 47, 84 and 99 at Norton (Co. Durham), among others (Hawkes and Wells 1975, 118; Horne 1933, 42, 55; Evison 1987, 18, 235; Bidder 1906, 58; Sherlock and Welch 1992, table 2). The presence of grave finds in the Sewerby and certain of the Norton burials, however, raises potential problems if formal punishment is suggested, and this is considered below. Philpott's fourth class, of formal or semi-formal Roman prone burials, defined as showing evidence for 'a coffin, grave furniture or a location within an established cemetery', is directly paralleled in Early Anglo-Saxon contexts (Philpott 1991, 72). The location of such burials in 'normal' cemeteries nevertheless surely signifies a different emphasis from the 'normal' burials by the application of the prone burial rite itself.

A new analysis: the character and chronology of Early Anglo-Saxon prone burials

It has long been stated, and subsequently reaffirmed, that the majority of prone burials in Anglo-Saxon cemeteries are female (Harman, Molleson, and Price 1981, 187–8; Sherlock and Welch 1992, 26). A more recent analysis of the archaeological data, however, suggested that this view is difficult to sustain. Of a total of forty-six examples, David Wilson recorded nineteen probable females, sixteen probable males, and eleven of indeterminable sex (Wilson 1992, 81). The present analysis, however, includes more than double Wilson's total, with 115 examples from sixty cemeteries (App. 2.1). Of these, thirty-seven are male, fifty-two are female, seventeen are unsexed adults, and nine are juvenile and thus also unsexed. A total of sixty-seven prone burials are furnished with one or more objects, twenty-five males and thirty-two females, the remainder unsexed. Eleven males are interred without objects, while twenty females are findless. Children were furnished in six cases, unfurnished in three others.

The range of grave furnishing with prone burials varies considerably, and in many senses reflects the degree of variance found in Early Anglo-Saxon cemeteries among 'normal' burials. With regard to the four categories of furnishing outlined above, prone burials exhibit the following proportions: 42 per cent are unfurnished; 23 per cent are poorly furnished; 20 per cent were interred with standard kit; while 14 per cent comprised well-furnished women's graves of arguably special character. In only two instances was there insufficient information to place furnished burials into a particular category. Overall numbers with regard to furnishing and sex reveal ten males and eight females in the 'poor' category, fourteen males and eight females in the 'standard' group, and one male and up to fifteen females in the exceptional class.

The poorly furnished burials most commonly contained a knife, and examples include the females in Grave 15 at Lechlade and Grave 4 at Meonstoke and the woman buried above a male at Castledyke in Grave 166. Males could also be sparsely furnished, and include the man buried with a knife in Grave 32 at Westgarth Gardens, and the men interred with a knife and iron buckle in Grave 14 at Shudy Camps, Grave 127 at Watchfield, and Grave 126 at West Heslerton. Males with a buckle only were found in Grave 3 at Holywell Row and Grave 17 at Norton. Further sparsely furnished graves include the male in Grave 18 at Frilford, buried with a piece of iron rod and Roman coin, while the animal bones from the fill of Graves 74 and 126 at Lechlade and Grave 1 at Wasperton are equally likely to represent residual finds as opposed to structured deposits.

Among the graves with 'standard' furnishing are the women in Grave 10 at Puddlehill, furnished with two saucer brooches, two knives, and several beads, and in Grave 57 at Beckford, which contained a buckle, knife, beads, and a

copper-alloy applied brooch. Men in this category include Grave 86 at Great Chesterford, where finds included a spear, shield boss, knife, and fragments of another iron object; Grave 15 at Swaffham, which contained a shield boss, four iron discs, a buckle, pin, and knife; and Grave 60 at Westgarth Gardens, furnished with a shield boss, knife, buckle, and a piece of copper-alloy sheet.

A single early fifth-century male burial from Richborough (Kent), containing a spear, shield, and a pewter bowl, represents the only exceptional male grave. Female burials in this category, however, are notable in several respects. First, their quantity, about fifteen, is higher than the total for any other single group in the prone class, and secondly, the nature of their furnishing is suggestive not only of status in wealth terms, but of their special role in society, arguably as ‘cunning women’ (Dickinson 1993). The status of these exceptional women’s graves is considered more selectively and in greater detail with regard to cemetery location in Chapter 5, while the composition of certain examples is considered here. As Helen Geake (2003, 263) notes, ‘almost every type of Anglo-Saxon female grave-good has, at one time or another, been identified as possessing amuletic or magical significance’, and although some might doubt the special character of certain of the graves considered here to belong to this class, other examples are undeniably extraordinary. If the addition of a deviant burial rite is also accepted as adding to the extraordinary character of a grave—and surely it must—then a stronger case can be made to support the observation that a high proportion of the distinctively furnished women found in the prone position are so-called ‘cunning women’.

Audrey Meaney first drew attention to a limited group of burials suggested to be those of ‘cunning women’ (Meaney 1981, 249–62). Their characteristics were defined largely on the basis of the objects that they contained. Many of these special women’s graves, including those exhibiting deviant rites, contain overtly amuletic objects, while others are equipped with a complex or unusual range of kit including bags, as indicated by iron or ivory bag rings, often containing small objects, very often of an apparently non-functional or non-utilitarian character. Examples of possible ‘cunning women’ buried prone include Grave 105 at Broughton Lodge (Nottinghamshire) and Grave 55280 at Westbury-by-Shenley (Buckinghamshire). The sixth-century woman from Broughton Lodge was aged over 40, and accompanied with annular brooches of copper-alloy and iron, fragments of three wrist-clasps, glass and amber beads, a knife and ring, a copper-alloy pin, and, most significantly, a beaver-tooth pendant. The Westbury-by-Shenley woman was aged between 25 and 35 years and lay among a group of seven inhumations of mixed sex, all of which were oriented west–east (Ivens, Busby, and Shepherd 1995, 71–4). Grave finds included a gold and garnet pendant, thirteen silver ring fragments and a silver plaque or mount fragment, beads of shell and glass, a pair of shears, and an iron knife, perhaps in a bag, and a pin. This burial, dated to the late

seventh century, is evidently of a special character, particularly at such a late date: whether a 'cunning' status is accepted or not, it remains that there is a distinctive class of well-furnished women buried in the prone position. Burials of this type are considered further in Chapter 5.

In terms of grave orientation, the principal points of the compass proved the most common, with thirty graves oriented west-east, fifteen south-north, twelve north-south, and ten east-west (direction of the head is given first). Table 2 gives the figures with percentages of the total sample where orientation is known (ninety-six burials).

Combinations with other deviant attributes are uncommon, but include Grave D9 at Totternhoe (Bedfordshire), an adolescent with possible tied hands, Grave 78 at Worthy Park (Hampshire), a female with potentially bound limbs, and Graves 105 at Broughton Lodge (Nottinghamshire) and Grave 63 at Beckford (Worcestershire), both females, where the hands were seemingly tied by the head. Grave 6 at West Heslerton held the body of a man with the hands apparently tied in front of the pelvis. An unnumbered burial from Market Weighton (East Yorkshire) is also recorded as having tied hands. Only two examples of prone and decapitated individuals are known, an isolated post-Roman burial with a copper-alloy finger ring from Cressing (Essex) and the findless inhumation in Grave 7 at Chadlington (Oxfordshire); both are males. Prone burials weighted down with stones are known from Abingdon (Berkshire), in the case of the well-furnished woman in Grave 29 (see also Ch. 6), Snape (Suffolk), where an unsexed individual in Grave 44 had a large flint placed over the shoulders, and from Woodingdean (Sussex), where the woman in Grave O was covered with stones. Prone burials exhibiting amputation of limbs are rare, although two indisputable examples are known. The left forearm of the male in Grave 71 at Blacknall Field, Pewsey (Wiltshire), had been severed and had healed, but his feet had been cut off at the ankles at or shortly after death. The woman buried in Grave 114 at West Heslerton had apparently suffered a stroke, which is suggested by the marked asymmetry exhibited by her post-cranial skeleton, a condition attributed to a cerebrovascular accident,

Table 2. Orientation of prone burials from Early Anglo-Saxon cemeteries

Orientation	No. of examples	%
W-E	30	28.8
S-N	15	14.4
N-S	12	11.5
E-W	10	9.6
SE-NW	9	8.6
NW-SE	8	7.6
NE-SW	7	6.7
SW-NE	6	5.7

such as a ruptured aneurism (Powlesland and Haughton 1999, 189). The woman was also interred with the left foot cut off and perhaps with the legs tied. Two further possibilities are known. The furnished male in Grave 32 at Westgarth Gardens (Suffolk) had been trepanned and was missing his left hand, while Grave 53 at Empingham (Rutland) contained a furnished male whose left arm and leg were missing, although the cemetery was excavated in less than favourable conditions.

Out of the total of 115 prone burials, nine burials from five sites are possibly as early as the fifth century, but fifty-nine from thirty-five sites are of the sixth and seventh centuries; the remainder are not closely datable.

National patterning of prone burials

Importantly, the national distribution of prone burials indicates a widely applied rite, but with some interesting concentrations and, accordingly, certain regions where cemetery evidence is abundant but where prone burial is relatively rare or absent (Fig. 8). Nick Stoodley has observed that the rite is rare in terms of overall numbers on a national basis, representing only 1 per cent of burials from a sample of 1,139 burials (Stoodley 1999, 55). A regional approach, however, reveals that the rite was more commonly practised in certain regions than others, where prone burials form a much higher percentage of cemetery populations than the national average. A major cluster can be observed in the central South Midlands region, defined to the west at Lechlade, to the east at Wheatley (Oxfordshire), to the north at Chadlington (Oxfordshire), and to the south at Watchfield (Berkshire). Further sites with prone burials within this area include Abingdon and Frilford (Berkshire), and Cuddesdon and Standlake (Oxfordshire). The westwards limit is defined by prone burials from cemeteries at Beckford (Worcestershire), Bishops Cleeve (Gloucestershire), and Camerton (Somerset). Kent shows an unusually sparse distribution, given the number of extensive cemetery excavations carried out in the county since the eighteenth century, while the Peak District is another region with a notable concentration of cemeteries but lacking recorded instances of prone burial. The East Midlands and East Anglia show a relatively even spread of examples, indicating a uniform application in those regions of the rite, while only two Lincolnshire cemeteries, Castledyke and Ruskington, have produced prone burials. Several of the north-eastern cemeteries, namely Norton, Sewerby, and West Heslerton, contain a high proportion of prone burials (although see Ch. 5, 'Deviant burials in forty early Anglo-Saxon cemeteries: the wider picture'). The prone burial rite was evidently applied to a wide range of individuals, and probably for different reasons in each case. There was evidently a broad recognition of this highly distinctive mode of burial, however, and it seems likely that the overall motivation was to render the corpse safe to the living.

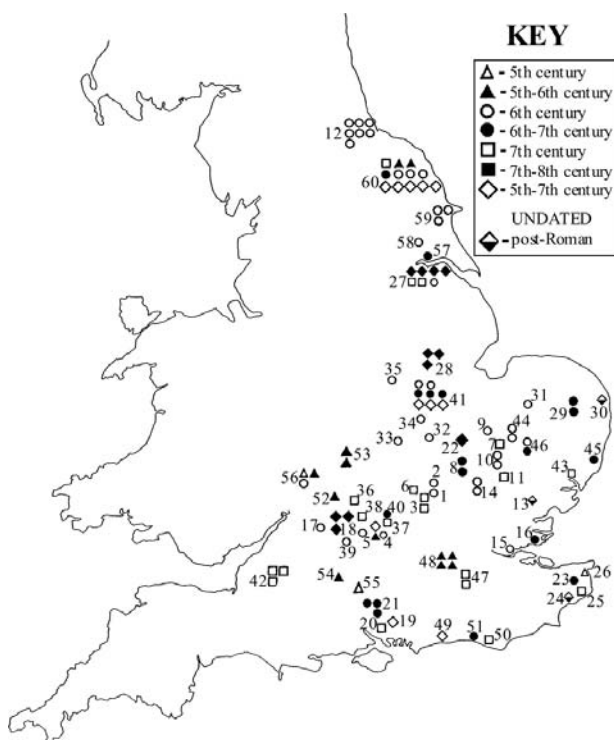


Fig. 8. The distribution of early Anglo-Saxon prone burials: 1 Puddlehill, 2 Toddington, 3 Totternhoe, 4 Abingdon, 5 Frilford, 6 Westbury-by-Shenley, 7 Burwell, 8 Edix Hill, 9 Little Downham, 10 Little Wilbraham, 11 Shudy Camps, 12 Norton, 13 Cressing, 14 Great Chesterford, 15 Mucking II, 16 Prittlewell, 17 Bishops Cleeve, 18 Lechlade, 19 Droxford, 20 Meonstoke, 21 Worthy Park, 22 Houghton, 23 Beakesbourne, 24 Dollands Moor, 25 Dover Buckland, 26 Richborough, 27 Castledyke South, 28 Ruskington, 29 Caistor-by-Norwich, 30 Caister-on-Sea, 31 Swaffham, 32 Great Addington, 33 Holdenby, 34 Wakerley, 35 Broughton Lodge, 36 Chadlington, 37 Cuddesdon, 38 Standlake, 39 Watchfield, 40 Wheatley, 41 Empingham, 42 Camerton, 43 Buttermarket, 44 Holywell Row, 45 Snape, 46 Westgarth Gardens, 47 Farthingdown, 48 Mitcham, 49 Highdown, 50 Piddinghoe, 51 Woodingdean, 52 Stretton-on-Fosse, 53 Wasperton, 54 Blacknall Field, 55 Collingbourne Ducis, 56 Beckford B, 57 Elloughton, 58 Market Weighton, 59 Sewerby, 60 West Heslerton.

DECAPITATION

There has been considerable discussion of the significance of decapitation in Roman and Early Anglo-Saxon cemeteries (Lethbridge 1936; Clarke 1979; Harman, Molleson, and Price 1981; Philpott 1991; Wilson 1992). Decapitation is perhaps the least ambiguous of all the indicators of deviant burial where confident identification can be achieved. The principal difficulty lies in the reliability of older excavation reports, as it is possible, and indeed likely, that a proportion of the suggested examples of decapitation result either from the truncation or disturbance of graves. The list upon which this analysis is based,

therefore, is rather more subjective than might be desired; the recording of cut-marks and other evidence for trauma is all too rare. Many instances thus rely on observations concerning the disposition of the skull in the grave.

In certain cases, such as Grave 48 at Abingdon (Berkshire), the skull of a man furnished with a spear, knife, and shield boss lay at the head end of the torso, but detached from the body. Similarly, the man buried in Grave 5 at Melbourn (Cambridgeshire) lay with the skull displaced but with the mandible in position. Particular doubt must remain in such cases, and post-burial taphonomy is the most plausible cause. Instances where the skull is found elsewhere in the grave, however, can be accepted with confidence, even where pathological data is not available to support such an interpretation. The male in Grave 175 at Sleaford (Lincolnshire), for example, was buried with his head by his hip (which side is not specified), while the men in Graves 9 and 10 at Chadlington (Oxfordshire) had their heads buried between their legs; post-depositional activity is unlikely to have resulted in these instances. A further significant problem, and one that has remained a consistent concern in the literature, is the secure identification of pre- or post-mortem decapitation (Harman, Molleson, and Price 1981, 166), with certain authors stating that the difference cannot be established (McWhirr, Viner, and Wells 1982; Ortner and Putschar 1981). This issue, however, is perhaps less of a problem than is often thought (Harman, Molleson, and Price 1981, 166). Skeletal indications for a number of blows to the head and neck are the clearest evidence for loss of the head as the cause of death, although acid soils could destroy all the evidence (*ibid.* 165; Bennike 1985, 116). Interpretation of the two groups of deviant burials from the recent excavations at Sutton Hoo (Carver 2005), for example, is hampered by poor bone survival and at this site much evidence has been lost which would allow potential cases to be strengthened or weakened on the grounds of better information regarding age, sex, and precise pathological data concerning trauma. That said, the preservation of the human form in the grave as a sand-cast provides a much more vivid impression of the disposition of a body than preservation of the skeletal frame alone.

Where the head is removed post-mortem the likelihood of finding pathological evidence is very much reduced, and that which does exist tends to indicate a clean operation performed with consistency. At the Lankhills Roman cemetery, Winchester (Hampshire), seven burials dated to after *c.*350 seemingly illustrate post-mortem decapitation in the form of consistent cuts, from the front, to the third and fourth cervical vertebrae (Clarke 1979, 193 and 374). There are a number of eyewitness accounts of post-mortem decapitations from the eighteenth and nineteenth centuries, however, where removal of the head proved to be an untidy process (Gatrell 1994, 313). Furthermore, when Oliver Cromwell was exhumed in 1661, after being buried for three years, it took eight blows to decapitate him (Brothwell 1986, 18). Many of these post-medieval and early modern examples were almost certainly designed to shock observers, but they

do serve to illustrate the difficulties of decapitation with a sword or an axe even on a corpse. The difficulty of the task on a live victim can only have been increased by the tension experienced by both executioner and victim: both factors which are all too often ignored in clinical descriptions of trauma in ancient human remains. Examples from the later Anglo-Saxon execution cemeteries show all the signs of decapitation as the cause of death, exhibiting major trauma to the head and neck regions.

Philpott has classified Roman decapitations into three groups, based upon the position of the skull: those with missing heads, interpreted as victims of judicial execution or battle; those with heads replaced in the normal anatomical position, seen as executed captives or criminals; and those where the head is present in the grave but placed other than on top of the shoulders, which were seen as burials of a special social group, perhaps of a low caste (Philpott 1991, 77, 79). In Early Anglo-Saxon cemeteries these practices are clearly evidenced, although it seems that the position of the skull itself gives little indication of the motivation for decapitation. In general terms, however, the ideology behind decapitation has been seen as the same as that for prone burial, with removal of the head applied as an effective means of laying a suspect corpse to rest (Meaney and Hawkes 1970, 31; Welch 1992, 62).

A new analysis: the character and chronology of Early Anglo-Saxon decapitation burials

In the Early Anglo-Saxon period fifty-four possible examples of decapitation have been recognized from thirty-two cemeteries (Fig. 9; App. 2.2), bearing in mind the provisos outlined above. Twenty-seven examples are male, of which fourteen are recorded to have associated grave finds, whereas six are females, all with grave finds; nineteen were of indeterminable sex, with another two unsexed individuals represented by the skulls of children. There are six instances where the data are of insufficient quality to comment in detail about the nature of grave furnishing. Overall, 52 per cent of decapitations were unfurnished; 19 per cent were poorly furnished (six males, one female and three unsexed); 17 per cent were buried with standard kit (six males, two females, and one unsexed); while two burials (one male and one female) were well furnished. A few other inhumations lay beyond classification, such as the unsexed Burial 78 from Linton Heath (Cambridgeshire), which was interred only with an urn placed where the head should have been. In common with prone burials, the range of objects found with the furnished decapitations reflects patterns in otherwise 'normal' graves.

Among the poor graves are those of the female in Grave 12 at Welbeck Hill (Lincolnshire) and the male in Grave 2iii at Blackpatch (Sussex), both of whom were buried with knives, while scraps of animal bone are recorded in the fill of Grave 13 at Caistor-by-Norwich (Norfolk). The provision of 'standard' kit is evident in Grave 48 at Abingdon (Berkshire), where a male with the head

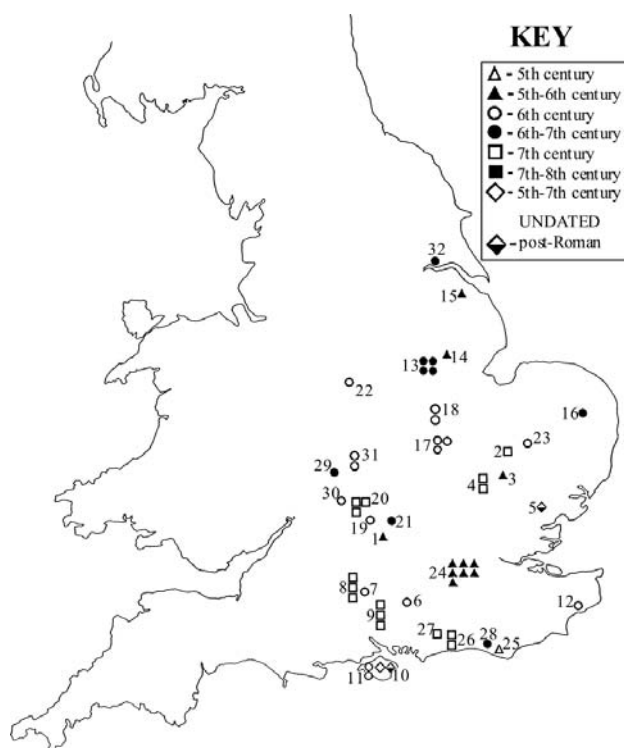


Fig. 9. The distribution of early Anglo-Saxon decapitations: 1 Abingdon, 2 Burwell, 3 Linton Heath, 4 Melbourn, 5 Cressing, 6 Alton, 7 Portway East, 8 Portway West, 9 Winnall II, 10 Bowcombe Down, 11 Chessell Down, 12 Lyminge, 13 Loveden Hill, 14 Sleaford, 15 Welbeck Hill, 16 Caistor-by-Norwich, 17 Great Addington, 18 Nassington, 19 Brighthampton, 20 Chadlington, 21 Wheatley, 22 Stapenhill, 23 Little Eriswell, 24 Mitcham, 25 Alfriston, 26 Blackpatch, 27 Burpham, 28 Kingston, 29 Bidford-on-Avon, 30 Stretton-on-Fosse, 31 Wasperton, 32 Elloughton.

‘detached’ was furnished with a spear, knife, and shield boss, while the male in Grave 4 at Stretton-on-Fosse (Warwickshire), whose skull had been placed by his upper left leg, was buried with a spear, shield boss, buckle, and a bowl. The woman in Grave 11 at Winnall II (Hampshire) was buried with a whorl, knife, and comb, while the woman in Grave 23 at Portway East (Hampshire) had only a knife and several beads of glass and amber.

The two well-furnished graves are well equipped relative to the other furnished decapitations, but not as elaborate as certain of those observed in the prone class. The male in Grave 26 at Alfriston (Sussex) was evidently of a high status, having been buried with a sword, axe, spear, knife, and a copper-alloy plate, while the woman in Grave 37 at Alton (Hampshire) was equipped with a pair of button brooches, two copper-alloy pins, beads, a knife, and a buckle.

Several decapitation burials display additional unusual features. At Bidford-on-Avon (Warwickshire), Grave 138 consisted of the skull of a woman

surrounded with limestone slabs to form a box within which the woman's skull lay, along with a copper-alloy pin, a ring, and a pot. Grave 23 at Portway East (Hampshire), noted above, contained only the skull (of a ?woman) in the northern end of the grave, yet the beads and knife found with the burial lay at the southern end of the grave. The burial of skulls only is also found in the two instances of child decapitation. Graves A and 31 at Nassington (Northamptonshire) contained women buried with grave finds, but in both cases the skull of a child was found, in the former instance 'by the hand', and in the latter 'on the crook of the arm'. The replacement of heads, either with an urn, as at Linton Heath (Grave 78), or with stones, as at Great Addington (Northamptonshire), is also recorded.

The positioning of skulls in decapitation burials is of particular interest (Table 3), although in twenty-one instances the head is recorded simply as 'missing', while in eight cases the positioning of the skull is not known.

The orientation of decapitation burials bears out the pattern exhibited by the prone burials, with the majority having the heads to the west. The percentages in Table 4 are based on the thirty-three instances where orientation could be determined.

As with prone burials, the combination of decapitation with other deviant rites is most uncommon. Only two examples of prone decapitations are known (see above), while the only other decapitation burial similarly treated is the woman's skull buried face-down at Bidford-on-Avon, noted above. Four decapitations are known from double burials, including the two children's skulls noted above. The two other examples are from double male graves at Portway East (Grave 3 A and B) and Sleaford (Grave 175). There are often no signs of coercion or disrespectful treatment, and decapitation is the only aspect that marks these burials out from others in the same cemetery.

Table 3. Position of the skull in Early Anglo-Saxon decapitation burials

Position	No. of examples
Missing	21
Unspecified	8
Skull only	7
Displaced	4
Normal	2
On chest	2
Between knees	2
Between legs	1
Beside left knee	1
Upper legs unspecified	1
Upper right leg	1
Upper left leg	1
Between thighs	1
At feet	1

Table 4. Orientation of decapitation burials from Early Anglo-Saxon cemeteries

Orientation	No. of examples	%
W-E	14	42.4
S-N	5	15.0
SW-NE	5	15.0
N-S	3	9.0
E-W	3	9.0
SE-NW	1	3.0
NW-SE	1	3.0
NE-SW	1	3.0

With regard to chronology, Grave 26 at Alfriston is without doubt of fifth-century date, as it contained a sword and francisca, or throwing axe, both dateable to the second half of that century (Welch 1983, 119). A further twelve graves might conceivably date to the fifth century, but a late fifth- to early sixth-century date is equally likely for these on the basis of grave finds. Fifteen graves are of probable sixth-century date, with a further nine spanning the sixth- to seventh-century range; fourteen graves are seventh-century.

National patterning of decapitation burials

The national distribution of decapitation burials is even, if sparse, throughout eastern, midland, and south-central England, with no evident clustering (Fig. 9). East Anglia has only four reliably dated examples, and three of these are in Cambridgeshire. Kent is again notable in that only a single example is known, from Lyminge. There are no examples west of a line drawn between Bidford-on-Avon (Warwickshire) and Portway West (Hampshire), while the poorly recorded example from Elloughton (East Yorkshire) is the only known instance north of the River Humber. Evidently the rite was widespread, if relatively uncommon, in central England, but a cultural difference with regard to application of the rite is evident between central and eastern England, an observation all the more valid given the relatively high number of excavated cemeteries in Kent and East Anglia.

STONING

Stoning, where a corpse is covered with stones, either large blocks or smaller stones in quantity, is a relatively rare practice in Early Anglo-Saxon cemeteries. With sixty-five examples identified, the practice is second in popularity to prone burial as a deviant burial rite. Before the material is considered, however, a few points must be noted with regard to the character of the evidence. First, in regions where the cutting of graves necessitated hewing into bedrock, it might

be natural to expect quantities of stone or rubble to be found in the grave fill. However, in regions characterized by sand, gravel, or clay, the inclusion of large stones in the grave fill might well give the impression of an act altogether premeditated. In better-recorded graves a description of the composition of grave fills allows purposeful, or structured, deposition of rocks and stones to be more confidently addressed. Unlike the prone burials, or the clear instances of decapitation, the evidence for stoning relies on a more subjective view. It is also possible, and indeed likely, that many instances of the placing of stones in graves have gone unrecorded.

In their consideration of Graves 24 and 25 at Winnall II (Hampshire), which contained a young woman and two children respectively, Meaney and Hawkes drew attention to Scandinavian parallels, where the practice was employed largely to lay the ghosts of criminals, but also against any other person who, it was feared, might have a grievance against the living (Meaney and Hawkes 1970, 31; Strom 1942, 107–9). At Spong Hill (Norfolk) the young woman weighted down with flints in Grave 47 is interpreted in the same way (Hills, Penn, and Rickett 1984, 8).

A new analysis: the character and chronology of Early Anglo-Saxon stoned burials

Sixty-five examples have been recorded from twenty sites (Fig. 10; App. 2.3). Twenty-four were male, twenty of which had grave finds, while nineteen were female, of which sixteen were furnished; the sex of the remaining twenty-two is not known, although four of these are children. Eight stoned burials from Loveden Hill and three from Broughton Lodge lack precise information about grave furnishing, leaving a total of fifty-four burials for the purposes of analysis. In terms of proportions, 24 per cent are unfurnished (five males, two females, and six unsexed), 26 per cent are poorly furnished (five males, four females, and five unsexed), 39 per cent were buried with standard kit (eleven males, seven females, and three unsexed), while 11 per cent were well furnished (five females and one male). The range of finds again reflects that observed in normative burials.

Poor burials, made with a knife only, include the woman buried in Grave 25 at Winnall and another from Loveden Hill whose feet had been cut off, the male in Grave 173 at Appledown (whose grave included a few copper-alloy mounts), and the unsexed individual in Grave 2 from Lyneham. Standard kit was found with the male in Grave 25 at Abingdon, who was buried with a spear, knife, shield boss, and buckle, with the male in Grave 10 at Dover Buckland, who was interred with a copper-alloy pin, spear, and knife, and the man in Grave 26 at Orpington, whose grave contained a spear, shield boss, and a knife. Females of this type include the woman in Grave 48 at Brighthampton furnished with a button brooch and a knife, and the better-equipped woman in Grave 10 at Broughton Lodge buried with a cruciform

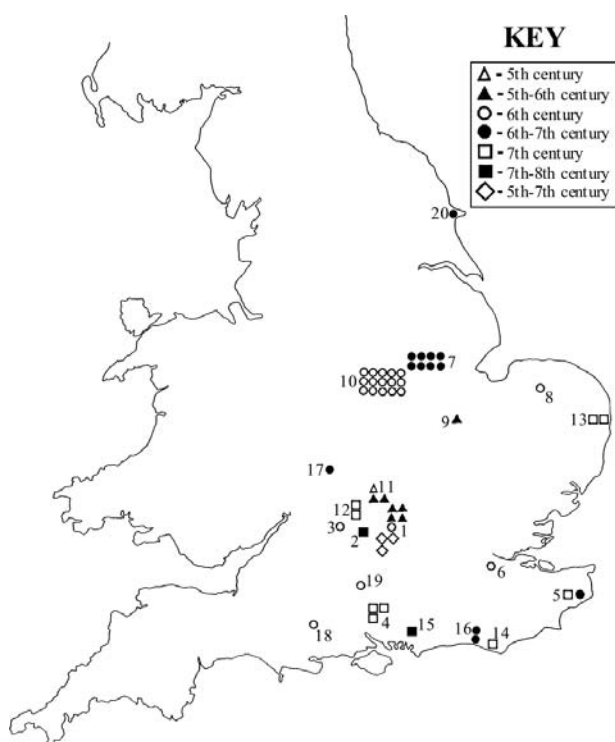


Fig. 10. The distribution of early Anglo-Saxon stoned corpses: 1 Abingdon, 2 Frilford, 3 Lechlade, 4 Winnall II, 5 Dover Buckland, 6 Orpington, 7 Loveden Hill, 8 Spong Hill, 9 Nassington, 10 Broughton Lodge, 11 Brighthampton, 12 Lyneham, 13 Carlton Colville, 14 Alfriston, 15 Appledown, 16 Woodingdean, 17 Bidford-on-Avon, 18 Alvediston, 19 Collingbourne Ducis, 20 Sewerby.

brooch, wrist clasps, beads, knife, and buckle. The single well-furnished male burial is that in Grave 36 at Broughton Lodge, who was interred with a bucket, three spears, shield, knife, copper-alloy ring, and buckle. Of the well-furnished women, four exhibit attributes suggesting that they are 'cunning women'. The women in Grave 29 at Abingdon and Grave 18 at Lechlade are considered in detail in Chapter 5, but we should note here the presence of an ivory bag-ring and objects from a chatelaine among the grave finds with the former burial, and the extraordinary range of finds, including a beaver tooth and a Roman altar fragment, with the latter. Both women were laid in graves tightly packed with large stones.

The range of stoning itself is broad. At one end of the spectrum are the few examples of burials with fragments of beehive querns placed or thrown onto them. Examples include, as noted above, the prone woman in Grave 41 at Sewerby, but also more recent finds at Carlton Colville of a double grave of an adult and child, where quern-stones lay over the head of the adult, and a further burial there where the stone lay on the body. At Broughton Lodge,

where 20 per cent of the burials were stoned, the quantity of stone used varied considerably, yet a high degree of conscious placing is evident.

Placing of stones over specific parts of the body is clearly attested, such as the six stones over the head of the female in Grave 35, or the eight over the head of the man in Grave 36. The man in Grave 101 had five stones over and around his feet, while the unsexed individual in Grave 42 had four large stones placed over the pelvic region. In other instances, as noted above, graves are tightly packed with large stones. Further examples include Grave 29 at Nassington, Grave 102 at Broughton Lodge, and Grave 48 at Brighthampton. A unique burial is that of the skull only of a woman surrounded with stones from Bidford-on-Avon.

The orientation of stoned burials broadly follows that of the other deviant burial types, with a preference for west–east alignment. Table 5 gives percentages for the fifty-two instances where grave orientation is known.

Coincidence of stoning with other deviant rites is rare, with only a single example each of decapitation, amputation, and prone aspect. Such combinations are represented by the isolated female skull from Bidford-on-Avon and the woman from Loveden Hill, whose feet had been cut off, both noted above. Grave O from Woodingdean contained a woman buried prone and covered with flints. None of the stoned burials exhibit tied limbs, although three triple burials are known, all from Broughton Lodge, although it is regrettable that details of sexing are incomplete in each case. Double burials are known from Broughton Lodge, including the male and female in Grave 45/46 and the two males in Grave 103/104. The adult and child buried together at Carlton Colville indicate that there was no preference with regard to sex and age composition of stoned double burials.

Several burials from Abingdon are of fifth- to sixth-century date, as are burials from Nassington and Brighthampton, where the female in Grave 18 is apparently of late fifth-century date, but the remainder are of sixth- and seventh-century date, with seventh- or eighth-century examples from Appledown and Frilford.

Table 5. Orientation of stoned corpses from Early Anglo-Saxon cemeteries

Orientation	No. of examples	%
W–E	25	48
NW–SE	11	21
S–N	7	13
SW–NE	4	8
N–S	3	6
SE–NW	1	2
NE–SW	1	2
E–W	0	0

National patterning of stoned burials

Despite the relatively large number of instances, all are derived from only twenty sites, indicating a different rate of application and a much more restricted use nationally in comparison to other deviant burial rites (Fig. 10). There is a concentration in the Upper Thames valley, represented by examples from Abingdon, Frilford, and Lyneham, while a series of five cemeteries in south Wiltshire, Hampshire, and Sussex have provided single instances: Alvediston (Wiltshire), Winnall (Hampshire), Alfriston, Appledown and Woodingdean (Sussex). The cemeteries at Broughton Lodge and Loveden Hill both provided relatively high proportions, while Sewerby presents the only example north of the Humber. Kent and East Anglia exhibit a few widely dispersed instances.

AMPUTATION

Deliberate removal of body parts, usually the feet or hands, is the rarest of the indicators of deviant burial examined. A total of fourteen early Anglo-Saxon examples is known (Fig. 11; App. 2.4), though only two instances were identified in a recent review of trauma in early medieval England (Roberts and Cox 2003, 216–17), which excluded examples from later Anglo-Saxon execution cemeteries. As with decapitation, amputation can be difficult to identify with confidence. Where cut-marks or evidence for healing are observed, there can be little doubt that removal of body parts was deliberate, although in three cases, the missing left and right hands in the otherwise well-preserved burials 35 and 46 from Winnall and the missing left hand in Grave 32 at Westgarth Gardens, doubt must remain. In the remaining eleven cases amputation has clearly occurred, as illustrated either by healed extremities or by the adverse placing of cut-off limbs within individual graves.

Interpretation of the rite has been minimal. As noted in Chapter 2, Ethelbert Horne, excavator of the seventh-century cemetery at Camerton (Somerset), made an explicit link between the male in Grave 83, whose right foot had been cut off and had healed, and Ine's late seventh-century, broadly contemporary laws regarding amputation as a punishment for theft (Horne 1933, 41; I 18 and 37). Otherwise, the context of the few known examples has not been explored. Roberts and Cox's recent review considered amputation within the context of surgery, and it is possible, in certain cases, that diseased extremities may have been removed, although punitive measures are equally likely (Roberts and Cox 2003, 216).

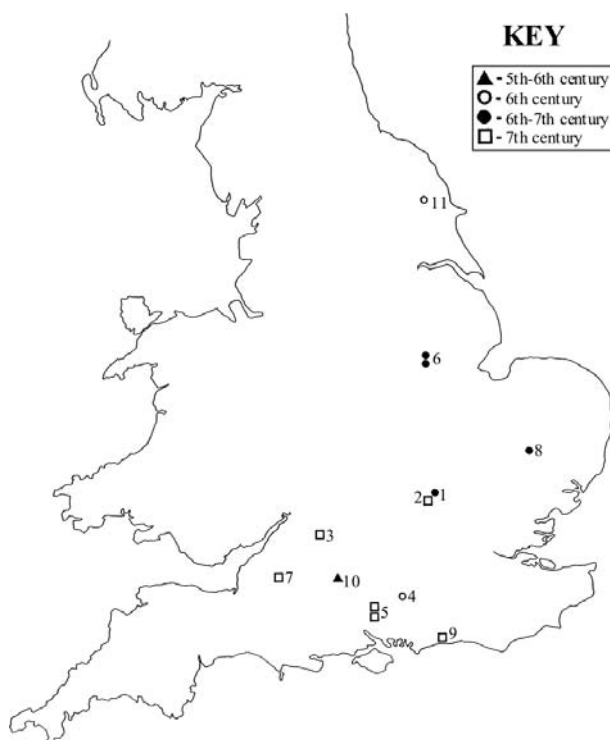


Fig. 11. The distribution of early Anglo-Saxon amputations: 1 Puddlehill, 2 Totternhoe, 3 Kemble, 4 Alton, 5 Winnall II, 6 Loveden Hill, 7 Camerton, 8 Westgarth Gardens, 9 Blackpatch, 10 Blacknall Field, 11 West Heslerton.

A new analysis: the character and chronology of Early Anglo-Saxon amputations

Of fourteen instances of amputation from twelve sites of early Anglo-Saxon date, nine are male, of which four were accompanied with grave finds, and four are female, all of which had associated finds; one accompanied burial is of indeterminate sex. With regard to grave furnishing, 36 per cent of amputees are unfurnished (five males); 43 per cent were poorly furnished (three males, two females and one unsexed); 14 per cent were interred with standard kit (one male and one female), with one moderately well-furnished female burial. The range of finds, in common with those found with the other deviant burial types, compares with those from 'normal' graves.

Poor graves include the two males in Graves 83 at Camerton and 32 at Westgarth Gardens and the woman from an unnumbered grave at Loveden Hill, all of whom were buried only with a knife. The male in Grave 14 at Kemble was provisioned with a knife, iron buckle, and a whetstone at the hip, while the woman in Grave 46 at Winnall had a knife, iron buckle, and a fragment of an iron object, but these interments nevertheless represent

poorly furnished burials. A male from an unnumbered grave at Loveden Hill was equipped with a shield boss and spear, thus placing him among burials with standard furnishing and alongside the woman from Grave 114 at West Heslerton, who was buried with an annular brooch, iron ring, and beads. The only burial that might be described as well furnished is the woman from Grave 35 at Alton, who was interred with a pair of button brooches, beads, and a gilt copper-alloy pin, tweezers, knife, and iron fragment.

The nature of the amputations recognized requires comment, and Table 6 shows a breakdown of the body parts involved. In certain cases healing is evident at the extremities, indicating amputation prior to death. An example of this is known from Tean Island in the Scilly Isles, where a male burial of seventh-century date had lost his left forearm and right lower leg some time prior to his death (Brothwell and Møller-Christensen 1963). The male in Grave 83 at Camerton also showed evidence of a healed amputation of the right foot, while the male in Grave 71 at Blacknall Field had healed following the loss of his left forearm (cf. above), although both of his feet had been cut off at or shortly before death. Further clear indications of amputation at or close to the time of death have been recognized. At Blackpatch (Sussex), the left leg of the male in Grave 10 had been cut off but placed in the grave, while men from Loveden Hill and Grave 14 at Kemble had both had their feet cut off and placed behind their knees. Of particular interest is the female from Grave 114 at West Heslerton, who had suffered a stroke to judge by the gracility of the bones of the left-hand side, although her young age (17–25) might suggest an alternative condition such as a ruptured aneurism (Haughton and Powlesland 199, 189); she had been buried with the legs tied and the left foot cut off.

The orientation of amputees bears out the analyses of other deviant burial types, with a preference for west–east orientation (Table 7). Although the number of examples is perhaps too small to be conclusive, and in three cases the orientation of the grave is not known, the high incidence of west–east burial with a scatter of other alignments suggests that no major contrast with the other types is evident.

Combinations of amputation with other deviant burial rites are evident in a number of cases. There are three instances where the corpse is also laid prone in the grave (see ‘Prone burial’ above), and one example, from Loveden Hill, where

Table 6. Instances of amputated extremities from Early Anglo-Saxon cemeteries

Extremities	No. of examples
Both feet	3
Left leg/foot	3
Right leg/foot	1
Left forearm/hand	3
Right forearm/hand	3

Table 7. Orientation of amputees from Early Anglo-Saxon cemeteries

Orientation	No. of examples	%
W-E	7	64
N-S	1	9
S-N	1	9
NW-SE	1	9
SW-NE	1	9
SE-NW	0	0
NE-SW	0	0
E-W	0	0

a woman whose feet had been cut off had been covered with limestone blocks. In two cases amputees may have been restrained. At Camerton, the male in Grave 83 may have had the hands tied behind the back, while we have already noted the apparently tied legs of the woman in Grave 114 at West Heslerton.

With regard to chronology, there are no indisputably fifth-century examples. The unaccompanied male in Grave 71 at Blacknall Field may date to the latter part of that century, but it can only be placed within the overall chronology of the cemetery that spans the late fifth to early seventh century. Otherwise, burials of this type are of sixth- and seventh-century date.

National patterning of amputees

There is no regional concentration of burials with amputated limbs. Rather, they are spread thinly across central southern England from Camerton (Somerset) to Blackpatch (Sussex), with widely dispersed examples in central and eastern England, and with the northernmost instance from West Heslerton (Yorkshire).

FURTHER UNUSUAL BURIALS

While this chapter has focused on the four clearest indications of deviant burial in Early Anglo-Saxon cemeteries, there is a wealth of further information from Early Anglo-Saxon cemeteries that is related to our theme. It is not the intention here to list every example of a grave with unusual characteristics, for that would warrant a volume in its own right, but an example from a modern excavation will suffice. At Edix Hill, Grave 35 contained the contorted body of a female aged 19–35 who, it is argued, must have been in a partly decomposed state to have been buried in the manner in which she was found (Malim and Hines 1998, 41). Interestingly, this burial lay between two closely spaced graves, suggesting that the position of those graves was evident to the burial party responsible for committing the contorted woman to the ground. Furthermore,

this burial lay c.4m to the south-east of a possible barrow mound at the site. Associations between barrows, or ring-ditches, and deviant burials can be observed at many other sites of this period, for example at West Heslerton (see Ch. 5). Such anomalous burials warrant further study.

DISCUSSION: INTERPRETING DEVIANT BURIAL RITES IN EARLY ANGLO-SAXON ENGLAND

Deviant burials from pagan cemeteries are clearly as varied in terms of burial practices as 'normal' burials. This suggests that prone burial and decapitation were broadly recognized as indicators of 'otherness', whether for offences against the community or for flouting acceptable patterns of behaviour, for example, cases of suicide, negative divination, or witchcraft. Such individuals may have been regarded as powerful dead that the living required laying safely in the ground. The lack of correlation in other aspects of the burial rite of prone and decapitated burials accords well with the general tenor of funerary rites in the pagan period: that practices were not centrally determined, but commonly understood with the details dictated by family or kin traditions. It can be suggested that each of the principal deviant burial rites served essentially the same purpose: to render the corpses of the suspect dead 'safe'. Chronologically, decapitations appear during the fifth century, with numbers increasing throughout the sixth and seventh centuries. Prone burials are a predominantly sixth- and seventh-century phenomenon, with a few fifth-century possibilities. Stoning is known from late fifth- to eighth-century contexts, although the majority are of the sixth and seventh centuries; amputations are found mainly in sixth- and seventh-century contexts.

Interpreting prone burial

Why prone burial? While we cannot hope to understand the precise motivation of prone burial—and there may be several, according to the cosmological perspective of individual groups—it is difficult not to accept the long-established views rehearsed above, that the principal desire was to limit the possibility of the corpse returning to the world of the living. Indeed, a late sixteenth-century account of a Bavarian herdsman, Chonrad Stoeckhlin, who apparently suffered out-of-body experiences, reports how his soul encountered particular difficulty re-entering his body if his body was laid face-down (Behringer 1998, 23). There may well be echoes here of earlier European practices. The lack of examples from regions such as the Peak District, Kent, and western Wessex suggests either a lack of faith in the effectiveness of prone burial or that the rite was simply not part of the burial repertoire of communities in those regions. Clearly prone burial was applied across the spectrum of gender, age, and wealth and it is likely that the rite had different motivations but with a common desired effect.

In the Early Anglo-Saxon period inclusion of deviant burials within the same general burial area, as opposed to removing them entirely, may simply be a reflection of the acceptance of all members of society at death in certain community burial grounds, with the proviso that the prone burial rite was applied where required, according to local practice. It may also say something of the widespread confidence in prone burial as a measure to prevent the ghost of the deceased from rising. Prone burials at community cemeteries suggest that once the rite had been enacted, the community's needs were seen to have been met and the corpse was given a standard furnished burial by the family, with the exception of the prone aspect. Ultimately, prone burial may have been prescribed by the wider community or by individual families.

If prone burials are to be accepted as a widely understood marker of shame or outcast status or fear of the corpse in Early Anglo-Saxon society, then the presence of objects in many burials requires explanation. While Early Anglo-Saxon cemeteries have long been known for their complexity, and more recently a case has been made for the individuality of communities and their cemeteries (Hines 2002), prone burial should be seen as a universally understood, if not universally applied, mode of burial, but one that was itself shaped by the circumstances and customs of individual households and larger kin groups. Perhaps the prone aspect of burial was an issue determined by the larger social group, with the presence or not of objects reflecting the 'normal' pattern of presence or absence observed in otherwise 'normal' burials. Such a view suggests a wider social involvement in the burial of those who were seen as having contravened social norms, but in the case of furnished burials at least a family or kin involvement regarding the preparation of the body for burial and perhaps the organization of the funeral itself.

Certain graves, particularly those of women, contain artefacts of an amuletic nature (see Ch. 5), and it is possible to suggest that these individuals were so-called 'cunning women' as discussed by Tania Dickinson and Helen Geake (Dickinson 1993; Geake 2003). Perhaps they were buried prone because of their perceived power in life, or even because at their deaths they had passed on the mantle of wisdom to younger women and such a transition required a guarantee that the former holder of that wisdom would not return to the world of the living.

Witches could be viewed both positively and negatively in the pagan and Christian periods. Examples of 'cunning women' buried utilizing deviant rites explored in this chapter and in Chapter 5 support the view that such women were viewed in superstitious terms as powerful individuals in death *as well* as in life. Although a range of behaviour that might be considered 'pagan', such as medicinal practice, continued into and beyond the Conversion, the administration of folk magic or religion changed hands, presumably from powerful individuals such as the proposed 'cunning-women' to churchmen and women. Karen Jolly (2002, 16) notes the difficulty of distinguishing

between 'magic' and 'religion', although the difference is more likely a Christian construct. Although OE *wicca* (witch) could be applied to both men and women (Meaney 1989, 18), to assume that all prone burials are of supernaturally powerful individuals in life is perhaps not appropriate, especially in the light of the variation in furnishing, care, and attention paid to individual burials. In the case of burials without objects suggestive of 'cunning' status, prone burials, and other deviant types for that matter, are perhaps best viewed as individuals who were powerful only in death, certain of whom may well have been put to death by their communities for committing wrongs against others.

Interpreting decapitation

A greater number of women received prone burial than men, with the reverse situation borne out by the decapitations. There are more stoned corpses of women than of men, but for amputations the small number recorded shows more males. In their analysis of nearly thirty years ago, Harman, Molleson, and Price (1981) emphasized a perceived association between prone burial and decapitation, yet among Early Anglo-Saxon communities the two practices appear almost mutually exclusive, with only two examples known of the combination of the two rites.

The motivation to decapitate in the Early Anglo-Saxon period seems to have been founded on the same principle as prone burial, stoning, and, to a degree, amputation: to prevent the dead from haunting the living (Meaney and Hawkes 1970, 31). The possibility that certain offences were punished by beheading, as they were in the Middle and Late Anglo-Saxon periods, must not be discounted, but even in these instances a superstitious motive seems likely. Without wishing to state what might be considered obvious, the head was regarded as particularly significant in early medieval society. A mid-eleventh-century text from Christ Church, Canterbury, for example, relates a belief that the brain and its enveloping membrane were the first elements of the foetus to be formed in the womb (BL MA Cotton Tiberius A. IIIff. 40b–41a; Bonser 1963, 265). Of greater significance for the present discussion is a remarkable tale preserved in Geoffrey of Burton's *Life and Miracles of St Modwenna*, written in the first half of the twelfth century, purportedly describing the career of this otherwise little known seventh-century saint, but relating later material including the following (abbreviated) story (after Bartlett 2002, 195–7):

at the third hour, the two runaway peasants who were the cause of this evil were sitting down to eat, when they were both suddenly struck down dead. Next morning they were placed in wooden coffins and buried in the churchyard at Stapenhill, the village from whence they had fled. What followed was amazing and truly remarkable. That very same day on which they were interred they appeared at evening ... at Drakelow, carrying on their shoulders the wooden coffins in which they had been buried. The whole following night they walked through the village lanes and fields ... they spoke to the other peasants, banging on the walls of their houses and shouting, 'Move, quickly,

move! Get going! Come!’ When these astonishing events had taken place every evening and every night for some time, such a disease afflicted the village that all the peasants fell into desperate straits and within a few days all except three perished by sudden death in a remarkable way ... Men were living in terror of the phantom dead men ... and they received permission from the bishop to go to their graves and dig them up ... They cut off their heads and placed them in the graves between their legs, tore out their hearts from their corpses and covered the bodies with earth again ... Soon after this was done both the disease and the phantoms ceased.

Clearly, it would be foolish to back-project such a late source to the pre-Christian period without acknowledging the fact that it was produced in a high-status Christian context. Indeed, one must also be wary about the universal application of such sources, even in a contemporary environment. In view of these comments, however, the message of the tale is clear enough and peculiar enough to inspire a degree of faith in its credibility, and it provides at least an insight into the medieval mind and one of the ways that was deemed appropriate for the laying of a ghost. Decapitation, therefore, might be seen in many contexts as an insurance policy to ensure that the suspicious dead were laid effectively to rest. The range of grave furnishing suggests that decapitation could be applied across the social spectrum, and that it fulfilled a complementary role to prone burial in laying safely the suspicious dead. The appearance of the malevolents at Drakelow (OE ‘dragon’s mound’) is of especial interest, given the negative associations relating to barrows found in OE literature (Semple 1998).

In conclusion, it would appear that the ideology of pre- and post-mortem decapitation is identical, but that the circumstances are entirely different, with beheading as the cause of death being undertaken for widely recognized social offences and post-mortem decapitation being undertaken by the family or their agents, either as a response to internal family disputes or as a community requirement.

Interpreting stoned burials

One of the most interesting aspects of the stoned burials is their restricted presence among a small number of communities. This feature, along with the broad geographical distribution of cemeteries where the rite is found, suggests again a commonly understood practice, but one that was perhaps driven more by the customs of individual communities who evidently applied the rite with a relatively high degree of frequency in comparison to other communities utilizing other deviant burial rites. Such a patterning may even indicate a heightened level of superstition among communities utilizing the rite.

It is possible that the localized placing of stones in graves, as noted above at Broughton Lodge, is related to injury or illness regarding particular parts of the body. Although dating to the later Anglo-Saxon period, the use of stones at the churchyard cemetery at Raunds Furnells shows examples of this practice.

The setting of stones about the crippled knee of the man in Grave 5074, as well as about his head, and a similar relationship of stones to the lower limbs of a man affected by poliomyelitis in Grave 5218 at least provide a context for the use of stones in human burials of early medieval date (Boddington 1996, 41–2). Perhaps stoning in Early Anglo-Saxon cemeteries was applied with the dual purpose of marking a damaged or diseased body part and also as a means of weighting down a visibly different and thus potentially ‘suspicious’ person. There is little osteological evidence to support this interpretation, but many of the reports from earlier excavations lack sufficient detail regarding pathology to form a reasoned view. At Broughton Lodge, however, none of the three skeletons noted to have suffered osteoarthritis, Burials 7, 20, and 90, was associated with stones (Harman 1993, 57). Clearly, detailed research and re-examination of skeletal material from stoned burials is desirable to address the issue conclusively. Graves where the filling is composed almost entirely of tightly packed stones surely represent a measure to render a corpse ‘safe’. Although much later, William of Malmesbury’s clearly fictional account of the ‘witch of Berkeley’, who apparently died in 1046, recounts how she was buried in the skin of a stag in a stone coffin fastened with lead and iron, with a massive stone placed on top (*Gesta Regum*, ed. Mynors, Thompson, and Winterbottom 1998, I. 255; Davies 1989, 44). The story itself may well contain a grain of truth with regard to how a witch might be treated when buried.

Interpreting amputations

Removal of extremities, particularly the hands, is traditionally known as a punishment for theft, and examples are known from the archaeological record throughout the Anglo-Saxon period (see also Ch. 4). Two basic lines of interpretation present themselves, similar in emphasis to the potential dual role of certain stoned burials suggested above. While Horne’s view that amputation reflected the legal prescriptions of the day regarding theft stands on firm ground, and is indeed borne out by the consistently late dating (within the Early Anglo-Saxon period) of amputations, the likelihood that superstitious motivations also applied is a strong possibility. A key find in the latter respect is the woman from Grave 114 at West Heslerton who had suffered a stroke and whose left foot had been cut off at or close to the point of death. The woman was also buried in the prone position, and it is possible to suggest that great suspicion or fear surrounding her ‘bad death’ led to the application of deviant rites to render her ‘safe’ to the living. In other cases, especially perhaps those where both feet have been removed, the intention may well have been to render the corpse immobile. Instances of the removal of single extremities are perhaps related more to theft or to a broader connection between limb and crime. Horne’s observation that the removal of a single hand or foot is present in Ine’s laws is significant. While it would be dangerous to apply Late Anglo-Saxon legal prescriptions to this period, it is worth recalling Æthelstan’s

second law code that records how a moneyer minting base or light coins should have the hand that committed the offence cut off and fastened up on the mint (As II 14.1), a prescription later repeated by Æthelred (Ath IV 5.3).

CONCLUSIONS

Aspects of body positioning and treatment were probably employed by pre-Christian populations to denote those who it was feared might return to the world of the living. Individuals interred with indications of such suspicion are likely to have ranged widely, from wrongdoers and those who died in unusual or unknown circumstances to cunning women and, in certain instances, perhaps widows and others who were buried in a manner that reflected associative as opposed to direct guilt for a social contravention. The mechanisms through which such rites were dictated is obscure, but the range of Early Anglo-Saxon deviant burial practices is seen in a clearly judicial context after the Conversion (see Ch. 4). A further important point to make is that, of the many thousands of Early Anglo-Saxon burials that have been recorded (estimated at c.25,000 in 1988; Arnold 1988, 142), only 247 of these exhibit clear enough characteristics to be classified as deviant burials; in other words, and very loosely speaking, about 1 per cent of the known corpus of cemetery evidence. When the chronological dimension of the data is considered, it may be seen that the rate of deviant burial was very low indeed during the fifth and early sixth centuries, bearing in mind that the overall total of known burials, particularly of fifth-century date, is low, with a marked increase in the later sixth and seventh centuries.

While the spatial analysis in Chapter 5 will confirm the special and distinctive treatment of deviant burials in relation to Early Anglo-Saxon cemetery space, this chapter has elucidated for the first time the range and character of the evidence. Of particular importance is the realization that deviant burial rites were apparently widely understood, yet their complexity in terms of local variations on the main themes suggests common folk practice, which was locally enacted as opposed to centrally determined.

LOOKING TO THE FUTURE

With the arrival and spread of Christianity, burial rites changed. Pre-Christian cemeteries finally fell out of use by the early eighth century, with the newly converted receiving burial in cemeteries associated with minster churches or within small rural burial grounds in the manner of pagan cemeteries, but with predominantly unfurnished burials (Boddington 1990, 177–8; Blair 2005). The search for an explanation for changes in burial practice in the seventh

and eighth centuries has been subject to considerable debate, and a wide range of causal factors are now employed to account for this, including changes in inheritance patterns, growth of the manorial system, and increased opportunities for trade (Boddington 1990, 197). The significant point to make in concluding this discussion of the Early Anglo-Saxon evidence is that, in the treatment of deviants, continuity of burial rite is evident across the Conversion period and beyond. The major shift in emphasis occurred in relation to geographical location of deviants (see Ch. 5). An increasing awareness of space and place developed from the seventh century onward, which provided local and supra-local communities with the opportunity to exploit a wider range of burial contexts.

4

Social deviants in a Christian world: the seventh to eleventh centuries

Another shall swing on the wide gallows, hang dead, until the casket of his soul, his bleeding body, is rent to pieces. There the raven takes the eyes from his head, the dark-coated bird tears at the corpse; nor can he ward off with his hands the outrage of the hateful flying foe; his life is gone, and he, without feeling, and past the hope of life, pale on the gallows-tree endures his fate, enveloped in the mist of death: his name is accursed.

(From the later tenth-century Exeter Book poem *The Fates of Men*: Mackie 1934, 29)

INTRODUCTION

Geographical separation of social deviants from community cemeteries is the key defining factor of the material considered in this chapter, for, aside from a very small number of deviant burials from consecrated cemeteries, evidence is otherwise found in a range of contexts, from isolated burials to small groups of interments to extensive execution cemeteries.

This chapter considers those sites that exhibit sufficient characteristics to qualify for positive identification as execution cemeteries of the Christian Anglo-Saxon period, and provides a synthesis of the individual characteristics of deviant burial found in them. The quality of excavation and recording varies considerably from cemetery to cemetery, and in certain cases particular doubt must remain with regard to secure identification. While it is hoped that all of the major known cemeteries have been included, it is not intended to include exhaustive lists, for example, of undated inhumations, and indeed, it is one of the purposes of this study to provide a platform from which a refined

approach to such material can be made. County Site and Monuments Records often contain substantial numbers of entries relating to undated inhumations or cemeteries, and it may now prove possible for other workers to take a fresh view of this evidence, using as a guide the characteristics identified here to separate possible execution cemeteries from burial grounds of a less innocuous character. Several sites are included that do not possess the full range of 'ideal' features of a classic execution site. They are considered, nevertheless, to give a feel for evidence which is initially less obvious. Individual deviant burials, or isolates, are considered in a broader discussion in Chapter 5. Relationships between urban places and execution sites and other issues, including the chronological development of judicial territories, are examined in Chapters 5 and 6.

A total of twenty-seven execution cemeteries have been identified, with a total of 797 burials. Sites are presented individually by county, with details about their location, dating, burial types, a plan, and additional notes; the aim being to standardize descriptions of sites initially published in widely differing formats. The totals from which calculations of percentages of deviant burial characteristics are made for the summary tables for each site comprise the number of bodies where information is available. For example, corpses which lack a description of the position of the hands or have the relevant body part truncated are not included in the analyses. Accordingly, totals used for the calculations of percentages of deviant burial characteristics vary within individual tables. Furthermore, details of osteological analyses from older excavations must be treated with appropriate caution, but little can be done to rectify this situation as many of the human remains from these sites, especially the older excavations, are now lost. Following the site descriptions is a detailed analysis of individual burial rites and other characteristics of execution cemeteries. Full details of the populations from each cemetery can be found in Appendix 3.

ANGLO-SAXON EXECUTION CEMETERIES: AN ANNOTATED HANDLIST

BEDFORDSHIRE

Dunstable, Five Knolls (Fig. 12a)

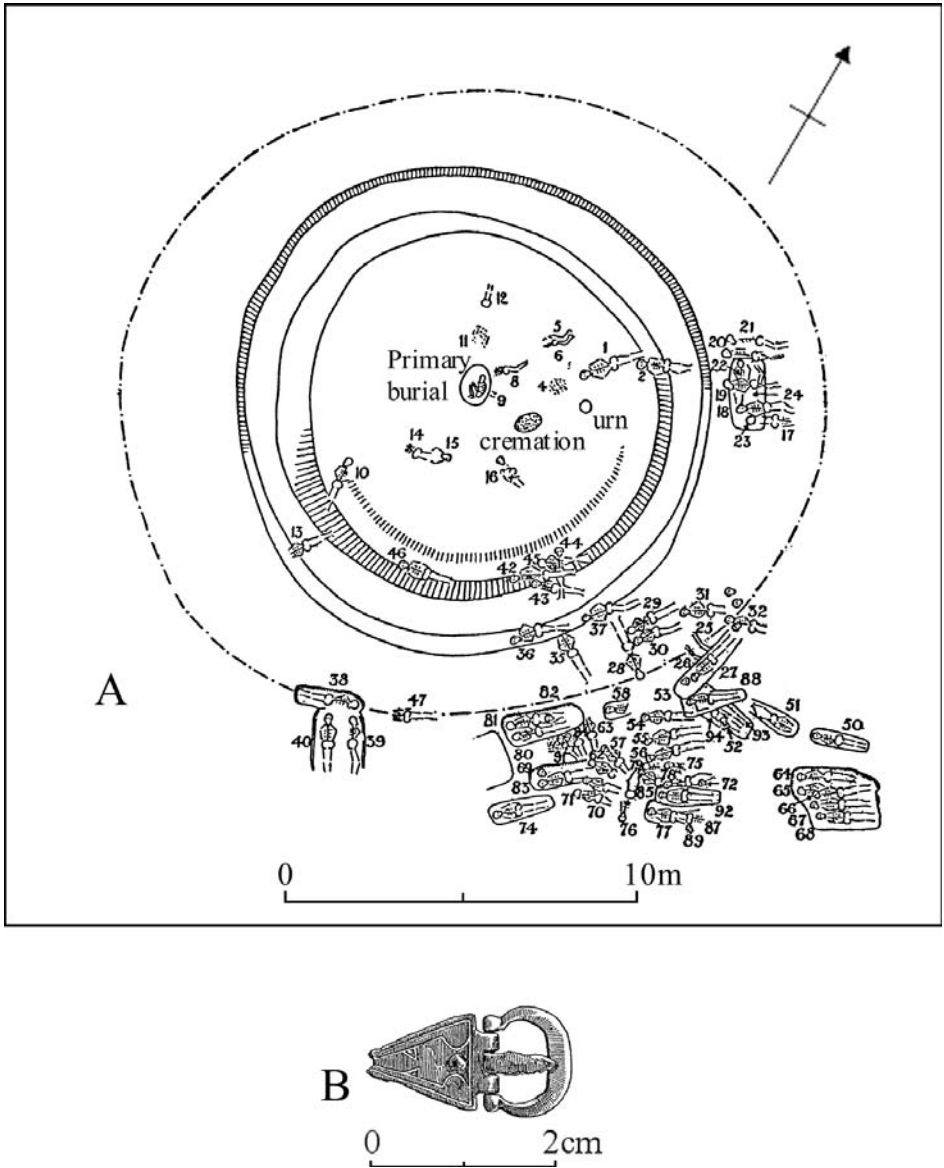


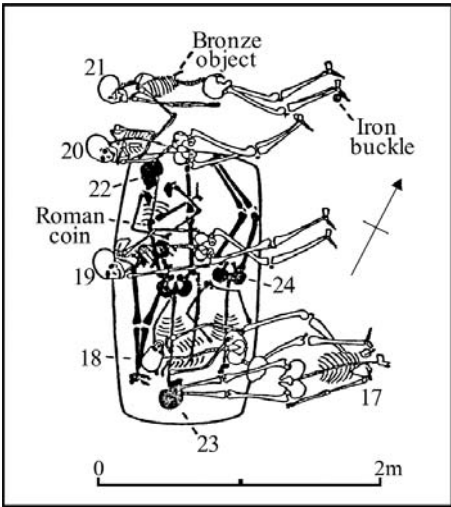
Fig. 12. (A) Plan of the execution cemetery at Dunstable. (B) A late sixth- or seventh-century buckle from the Dunstable cemetery shown at full size. (After Dunning and Wheeler 1931, fig.1 and fig. 7, no. 8. Reproduced by permission of the Royal Archaeological Institute)

Location The site is marked by an Early Bronze Age round barrow cemetery located on chalk downland 180m above OD overlooking the town of Dunstable to the east-north-east. The barrow group lies 150m west, and on the Bedfordshire side, of the county boundary with Hertfordshire and 200m south-west of the boundary between the hundreds of Manshead and Stanbridge. The Roman Watling Street runs 1.5km to the north-east. Mound 5 at the site was excavated in 1925–9 by the London University College and Hospital Anthropological Society, with the cooperation of a certain T. W. Bagshawe Esq., FSA. Execution burials were found dug into the body of Mound 5 and around the south-east edge of the barrow (Dunning and Wheeler 1931).

Dating Examination of the finds indicates that later Bronze Age, Iron Age, Roman, and Early Anglo-Saxon secondary interments were disturbed by the execution burials. The execution cemetery is therefore cross-dated on the basis of characteristics shared with the well-dated sites. An Anglo-Saxon belt buckle found as a stray find has been suggested to be of a Late Anglo-Saxon type (Dunning and Wheeler 1931, 209, fig. 7, no. 8; Wormald, forthcoming), but its stylistic aspects are more consistent with a late sixth- or seventh-century date (Fig. 12*b*).

The Dunstable skulls have attracted much attention from physical anthropologists. In the initial publication of the excavations, Dunning and Wheeler proposed that the burials were those of Anglo-Saxons of fifth- or sixth-century date, whereas Dingwall noted that they bore the strongest affinities with Bronze Age populations (Dunning and Wheeler 1931, 209; Dingwall 1931, 212). Later, the tertiary burials were again thought more likely to represent indigenous locals with surviving traits of either Bronze Age or Roman populations, as the proportions of the crania did not bear comparison with Early Anglo-Saxon populations from the cemeteries at Bidford-on-Avon (Warwickshire) and Burwell (Cambridgeshire) (Dingwall and Young 1933, 153–4). A further commentator seems, extraordinarily, to have precluded an Anglo-Saxon date on the grounds that the burials represented gallows victims and were, therefore, of medieval date (Tattershall 1968, 285–6). Tattershall went on to make comparisons with crania from various ‘medieval’ sites, and concluded on this basis that the Dunstable tertiary burials were of post-Conquest date (Tattershall 1968, 290). There are considerable problems with such analyses, not least the considerable chronological range of comparative collections (Morris 1962, 73–4), with material from Early Anglo-Saxon cemeteries probably representing mixed communities and separated in time by 400 years at the very least from the medieval groups. In short, the osteological evidence for a post-Conquest dating of the Dunstable tertiary burials is here rejected and a pre-Conquest date accepted on the basis of cross-comparison with well-dated sites at Stockbridge Down, Meon Hill, Guildown, South Acre, and Sutton Hoo,

Fig. 13. Detail of intercutting burials 17–24 at Dunstable. (after Dunning and Wheeler 1931, fig. 4. Reproduced by permission of the Royal Archaeological Institute)



among others (see below). In any case, craniology is no longer an acceptable method for attributing a date to skeletal material.

Burials A total of ninety-four burials were found interred in shallow graves, and there were a number of intercutting burials (Fig. 13). Graves 92–4 are recorded as being 0.9m in depth, whereas the remainder, where details are available, were between 0.38m and 0.2m or less below the surface. Orientation of burials shows a preference for south-west/north-east alignment, but there seems to be little if any significance to this. The limit of the burials was not fully established, although there was evidently a preference for using the south-east side of the mound. The excavation report is far from satisfactory in terms of layout and consistency, with certain categories of information absent from the list of burials. Details of age are ascribed to numbered burials in only two instances (Burials 54 and 92) and details of sex in only five cases (Burials 22, 40, and 50 (females) and Burials 54 and 92 (males)). Dingwall and Young (1933, 149) counted fifty-two male and twelve female crania amongst the whole assemblage, whilst Dingwall had earlier commented on the ‘relatively young’ age of the group (1931, 215). Information regarding sex ratios is taken from Dingwall and Young’s 1933 paper and not from the excavation report.

Table 8. Summary of burial characteristics at Dunstable

Characteristic	Occurrences	%
Prone burials	3 (out of 71)	4
Tied hands	35 (out of 65)	54
Decapitations	5 (out of 69)	7
Multiple burial	36 (out of 78)	46
Females	12 (out of 64)	19

Notes There is no documentary evidence to suggest the existence of an execution site at the Five Knolls (Dunning and Wheeler 1931, 205).

Galley Hill (Fig. 14a)

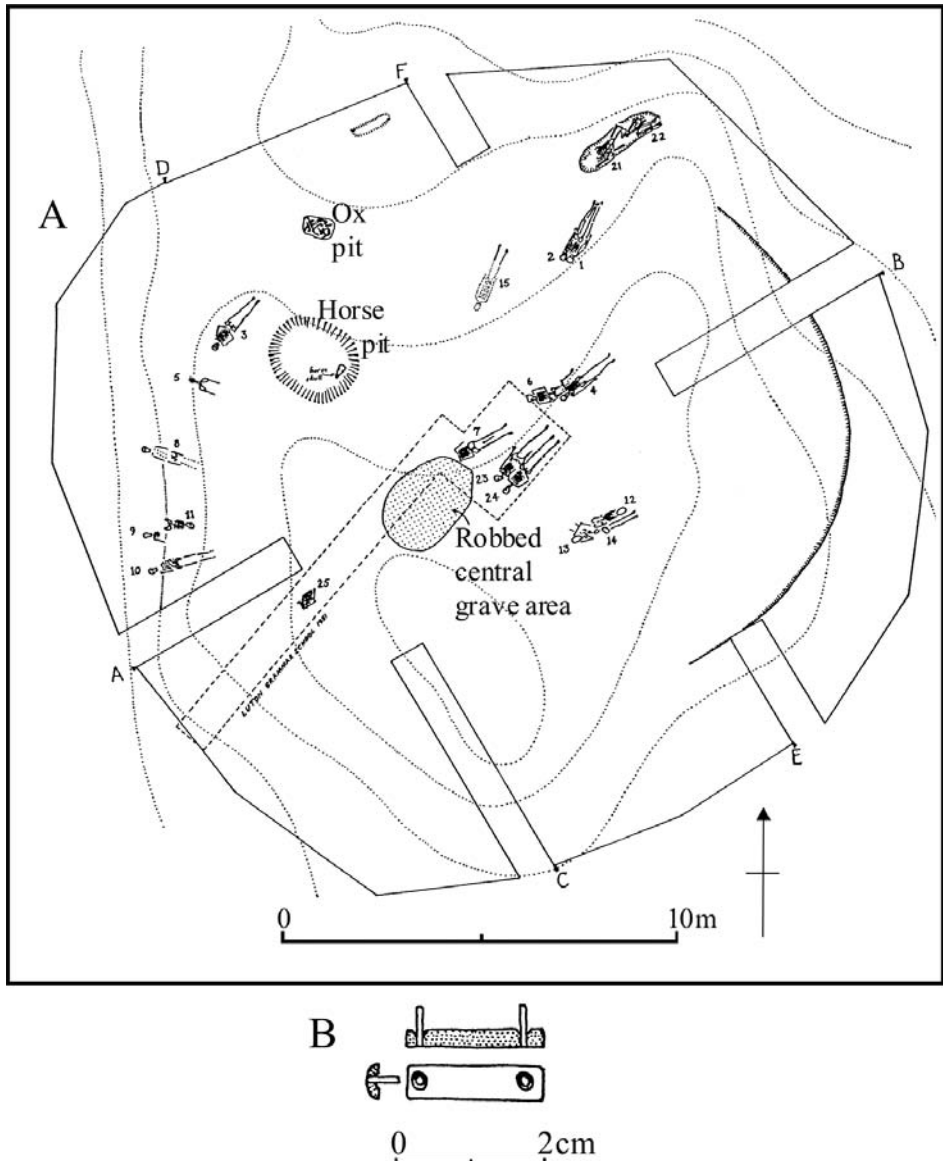


Fig. 14. (A) Plan of the execution cemetery at Galley Hill and (B) one of the copper-alloy mounts found underneath Burials 23 and 24. (After Dyer 1974, figs 2 and 4, no. 2. Reproduced by permission of James Dyer)

Location The site comprises two Bronze Age round barrows (Mounds 3 and 4) and two later mounds at the summit of a chalk downland spur at a height of 187m OD. The site has commanding views over the surrounding landscape, including a view to the west of the Five Knolls barrow cemetery at Dunstable (Dyer 1974, 13). The Icknield Way lies at the foot of the western side of the hill. Mounds 3 and 4 lie on the boundary between the hundreds of Flitt and Man-head, where they meet the county boundary with Hertfordshire. Execution burials were found dug into Mound 3 during excavations in 1961 (Dyer 1974).

Dating Dating of the burials is principally by comparison with other sites according to characteristics. The excavator considered certain skeletons to belong to the late Roman period, being massacre victims, and the others as gallows victims of the sixteenth century. The skeletons themselves were judged in the excavation report to have been 'much later [than the Roman period], possibly post-Norman' (Powers and Brothwell 1974, 30). Dyer attempted to differentiate two chronologically distinct phases of burial on the basis of sherds of abraded mid-second-century pottery and other finds associated with several of the burials, whilst six inhumations on the west side of the mound were characterized by their advanced state of decay, suggesting the use of quicklime. None of the finds, apart from the six copper-alloy mounts found *underneath* Burials 23 and 24 (Fig. 14*b*), directly accompanied burials, and the western part of the barrow overlay a patch of clay as opposed to chalk which may well have increased the decay of the corpses buried there. In summary, there is no good reason why all of the secondary interments should be viewed as anything but broadly contemporary and of Anglo-Saxon date.

Burials Twenty-five burials were found shallowly and, apparently, hastily buried (Dyer 1974, 17), although the distinction between careless burial, which need not have any implications as regards time taken, and hasty burial is probably impossible to determine. Intercutting graves were present. Seven burials lay at a depth of 0.9m, whereas the remainder lay between 0.1m and 0.3m. The orientation of the inhumations is varied, with the bodies across the centre of the mound aligned south-west/north-east, and those on the western edge of the barrow with the feet oriented toward the centre of the mound. The limit of the site was not fully established. The report is detailed, although the plan is diagrammatic.

Table 9. Summary of burial characteristics at Galley Hill

Characteristic	Occurrences	%
Prone burial	2 (out of 19)	11
Tied hands	2 (out of 19)	11
Decapitations	0	0
Multiple burial	9 (out of 24)	37
Females	4 (out of 22)	18

Notes The place-name is clearly significant, being ultimately derived from OE *gealga* (gallows), while the excavator drew attention to the place-name *Gallowehill* recorded in 1504 (Dyer 1974, 17; Mawer and Stenton 1926, 163). The name might have been formed much later.

BERKSHIRE

Abingdon

Location The Abingdon burials are not obviously associated with earthworks, although only a limited area was investigated in the garden of a house some 500m to the north of Abingdon Abbey precinct. The burials lie at a height of about 55m above OD and c.370m to the south-east of the boundary between Abingdon and Radley parishes and 300m west of the Abingdon-to-Oxford road. The burials were excavated by Duncan Wilson in 1978 and published the following year (Wilson 1979).

Dating Dating is not secure, although all of the graves containing the burials were observed to cut through late Roman settlement features dated to the late third to mid-fourth century.

Burials A total of seven shallow burials were recorded, while loose charnel confirms the further interments. The settlement features lay between 0.7m and 0.9m below the modern ground surface, whereas the burials lay between 0.55m and 1.1m below, indicating that at least some of the burials lay separated by up to 0.15m of deposit from the late Roman archaeology. The deepest of these burials was evidently no more than 0.31m below the Roman Ground level. Five burials lay with the heads to the north, with two to the south. All lay in the supine position. Burials I, II and VII lay within the same grave, with Burial II between the others, with the head to south in reverse orientation to the two other burials. Limestone slabs lay over the ribcage of Burial I and over the left arm of Burial II. Burial III evidently cut Burial IV and Burial V cut Burial VI, indicating sequence. The limit of the burials remains to be established. Burial I was identified as male, aged 20–5, Burial II as a possible male, aged 17–22, while the others are unsexed. There is no plan of the excavation and limited information available precludes a summary table.

Notes Although the Abingdon burials do not exhibit direct association with a major boundary, their post-Roman dating, proximity to a major highway, and the presence of a distinctive type of triple burial best paralleled at execution sites elsewhere suggest that they belong to this class of site. The proximity to an Anglo-Saxon urban centre is also of significance, and the group may be viewed alongside other cemeteries with similar relationships to emerging towns.

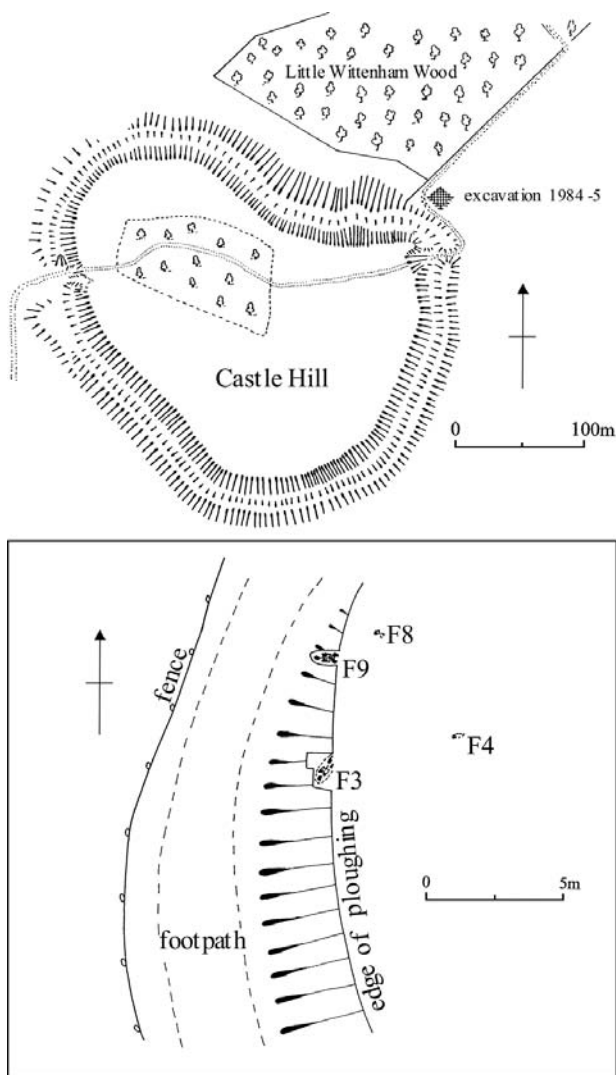
Castle Hill (Fig. 15)

Fig. 15. Plan of the execution cemetery at Castle Hill. (After Chambers 1986, figs 1 and 2. Reproduced by permission of the Oxford Architectural and Historical Society)

Location The Castle Hill burials were discovered initially by ploughing at the foot of the rampart on the north-east side of the Iron Age hillfort there (Chambers 1986). The fort lies on chalk at a height of 100m above OD, while the site of the burials has commanding views to the north and east to the

town of Dorchester, 1.8km to the north-north-east, and across the Thames, which runs, at its closest, 600m to the north. The site is in clear view of the Silchester-to-Dorchester Roman road 1km to the east. The hillfort lies 250m to the north-west of the boundary between the hundreds of Sutton, within which the fort lies, and Slotisford; the Thames forms the boundary between Berkshire and Oxfordshire. Significantly, the site lies close to the line taken by charter bounds for Brightwell and Sotwell dated 945 (S517) and Brightwell dated 947 (S523), both of which refer to the same 'heathen burials' arguably at this spot (App. 4, nos. 44 and 45). Gelling (1976, 761–3) places the Brightwell heathen burials further to the west, although the sequence of marks in both sets of bounds allows for an alternative reading, placing the heathen burials at the hillfort, itself perhaps the *Dic* (OE ditch) recorded in the charters that leads to the burial place. Following the initial discovery, a small excavation was mounted by R. A. Chambers on behalf of the then Oxford Archaeological Unit. The limit of the site was not established.

Dating The excavator considered the burials to be of late Roman or Early Anglo-Saxon date, in spite of the fact that no artefacts were found. The site is suggested as belonging to the class of execution sites on the basis of comparison.

Burials Only four burials were recorded, although the excavator considered the cemetery to be more extensive. Burial F3 was of a female aged 30–35 who had been buried prone, head to the south-west, with the hands crossed in front of the stomach and thus evidently tied. Of particular interest is the depth of her grave, between 0.8m and 0.9m, which is deep in comparison to the shallow nature of the other three interments and generally with execution burials elsewhere, apart from a number of other prone burials (see 'Prone burial' below). Burial F4 was supine with the head to the west, but is unsexed, while Burial F8, a possible female, was so badly damaged that little else could be determined about its nature. Burial F9 was of a male, head to the west. In addition to the burials found during excavation, the eighteenth-century antiquary Thomas Hearne had earlier recorded the discovery of burials on the west side of Castle Hill (Chambers 1986, 48, n. 6). The limited nature of investigation of the site precludes a summary table.

Notes Despite the small-scale investigation of the cemetery on Castle Hill, there are sufficient characteristics to warrant its consideration as an execution cemetery, including the intriguing possibility of a link between the heathen burials recorded in local charter bounds and the excavated remains. Locational comparisons can be drawn with sites such as Meon Hill and Wandlebury (see below).

CAMBRIDGESHIRE

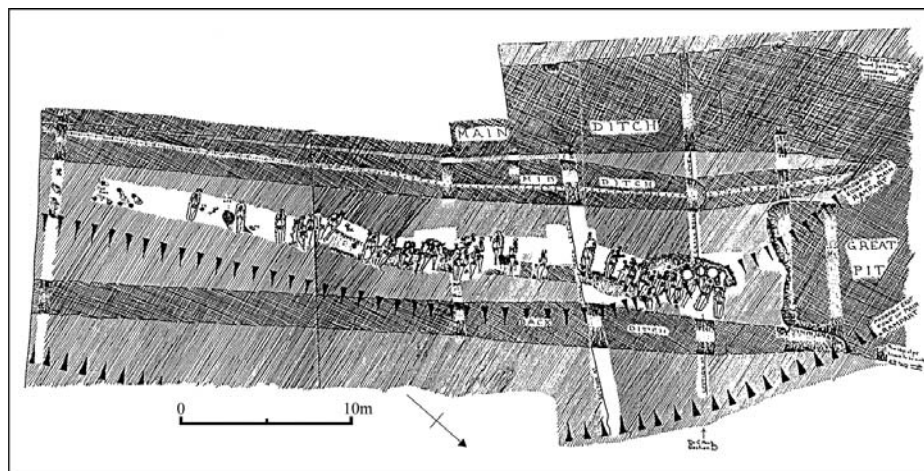
Bran Ditch (Fig. 16)

Fig. 16. Plan of the execution cemetery at Bran Ditch. (After Lethbridge and Palmer 1929, pl. 2. By kind permission of Cambridge Antiquarian Society)

Location The focus of the execution cemetery is a post-Roman linear earthwork that lies in a valley floor at a height of 30m above OD. The geology is chalk. The vallum itself forms part of the boundary between the hundreds of Armingford and Thriplow, and lies 1km from the meeting point of the county boundaries of Cambridgeshire, Hertfordshire, and Essex. The execution site is 800m to the north-west of the Cambridge–Royston road. Excavations were undertaken in 1925, 1927, and 1931 (Fox and Palmer 1926; Lethbridge and Palmer 1929; Palmer, Leaf, and Lethbridge 1931). The discovery of human remains in Section C of the 1925 campaign led to further excavations in 1927; the 1931 excavation was a response to an accidental discovery of additional remains.

Dating An iron knife and a belt slider accompanied burial 7 (Fig. 17). The dating of knives, however, is very broad, and elaborate schemes based on material from Early Anglo-Saxon furnished cemeteries take little or no account of later finds from other contexts. The knife is of late sixth- or seventh-century date according to Evison's scheme, where it corresponds to her Type 5 (Evison 1987, 113, figs. 22 and 26). Evison drew support from Böhner's

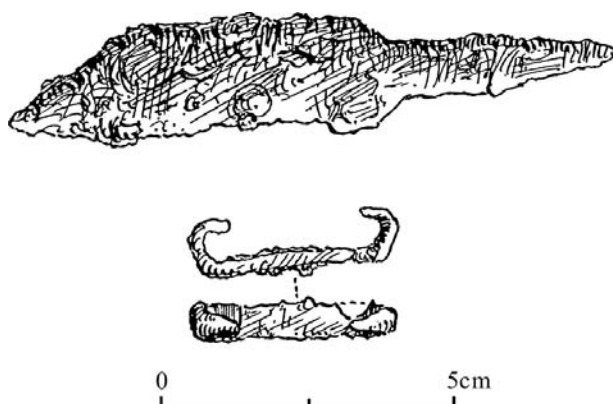


Fig. 17. Iron knife and belt slide found with Burial 7 at Bran Ditch. (After Lethbridge and Palmer 1929, pls. 3 and 4, nos 1 and 2. By kind permission of Cambridge Antiquarian Society)

continental sequence based upon material from the Trier region, and her Type 5 knives are compared to Böhner's Type C which only occurs in the seventh century (ibid. 115; Böhner 1958). Knives of the type found with Burial 7, however, are also known from mid- to late ninth- and tenth-century levels at Coppergate in York and eleventh- and twelfth-century contexts at Winchester (Ottaway 1992a, 560, nos. 2760 and 2761; Goodall 1990a, 842, nos. 2653 and 2677). Burial 7 exhibited the extraordinary feature of flexion of the hands at the neck, which substantiates its relationship to the other burials. The position of the hands perhaps indicates that the individual had freed (?his) hands during execution only to have them trapped at the neck and under the noose by the weight of the body, a position which became frozen through rigor mortis. Otherwise the execution burials are dated by comparison with other sites according to characteristics (although see below).

Burials A total of fifty-seven burials were found, mostly with a consistent west-east orientation. The full extent of the burials at Bran Ditch was not established. Two corpses from the main group were oriented differently to the main group, although no details are provided. The six corpses uncovered in 1931 were all oriented south-south-east/north-north-west along the trench in which they lay (Palmer, Leaf, and Lethbridge 1931, pl. I). The burials were largely shallowly interred on the berm separating the bank and ditch of the earthwork; a zone which might readily have been seen as 'no man's land'. The principal excavation report (Lethbridge and Palmer 1929) is poorly laid out, with an unhelpful plan and little information that can be ascribed to numbered

burials. Accordingly, no summary table is presented for the site. Sex is ascribed in three cases (Burial 1 (male) and Burials 21 and 34 (female)), although the main report states that the majority were male with a lower age range of twelve years (*ibid.* 87).

Details of body positioning are sparse, with the supine position recorded in twelve instances. No examples of prone or multiple burial are recorded, although this is no guarantee that such were absent. The position of the hands is worthy of note, as none were observed to have been tied: a feature ascribed by the excavators to the untying of hands and stripping of corpses prior to burial (*ibid.* 82). Many of the skeletons are described as ‘wanting their heads’ (*ibid.*), although a mandible from an unspecified corpse is mentioned as displaying signs of decapitation by ‘a sword-cut or by a blow from an axe’ (Duckworth 1929, 94).

A further point of interest is the presence of a foetus or newborn child among the cemetery population. It seems that baptism could occur close to the time of birth, and in medieval England at least, the rite could be performed by the midwife should the need have arisen (Revd. P. Saunt, pers. comm. 1997; Daniell 1997, 128). In circumstances where baptism was doubted, burial could still take place in consecrated ground, but according to later Catholic doctrine (Canon 1239.1) an ‘unblessed’ portion of the cemetery would have to serve as the repository (Kerin 1941, 160). There is evidence, however, that not all infants in medieval England were baptized immediately, and that unusual circumstances might surround their burial (Daniell 1997, 127–8; Crawford 1999, 85–7). For the Bran Ditch foetus or neonate to be buried at an execution site suggests foul play or great suspicion surrounding the death or stillbirth of the child.

Notes It is of interest that, in Fox and Palmer’s time, a pre-inclosure gap in the earthwork was known as Gallows Gate and a field on the north-east side of the vallum as Hangman’s Field (Fox and Palmer 1926, 31). In common with Galley Hill (above), it is not clear whether these names represent long-term memory or tradition, or if they should be read as evidence for medieval or later execution. It remains the case, however, that all dated comparable sites have a pre-Conquest origin.

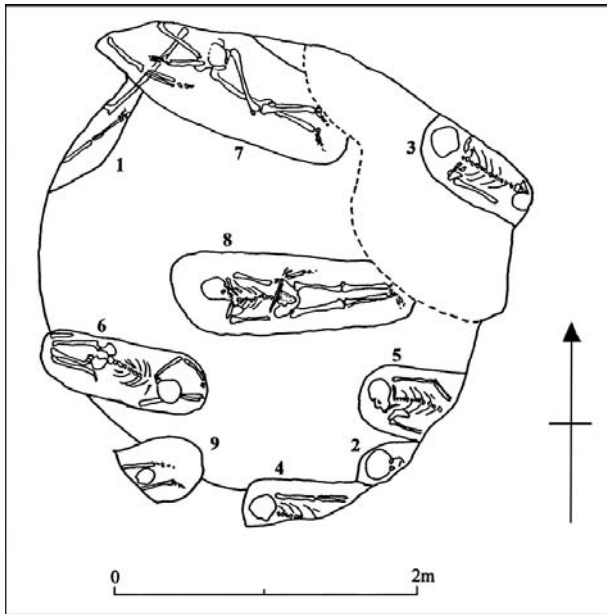
Chesterton Lane (Fig. 18)

Fig. 18. Plan of the execution cemetery at Chesterton Lane. (After Cessford with Dickens, Dodwell, and Reynolds 2007, 200, illus. 3. Reproduced by permission of Cambridge Archaeological Unit)

Location The Chesterton Lane execution site lies at a height of *c.*4m OD on the north-east side of the Roman road leading into Cambridge from Godmanchester (also a Roman town), and on the south-east angle of a crossroads there. Although contemporary upstanding features are long gone owing to later development, the location of the cemetery is coincident with the line of the south-eastern side not only of the Roman town limits but also of the successive Mercian and Danish fortified *burhs* (after Haslam 1976). The boundary in question has the added significance of being that of the Domesday hundred of Cambridge. The cemetery also sits on the line of a ditch, certainly navigable by the thirteenth century, which may have originated in the Middle Anglo-Saxon period as a defensive feature protecting an area by the river later known as the ‘Armeswerch’ (Taylor 1999, 43). An association with a linear feature is thus apparent here, even in an urban environment. The cemetery is one of the few excavated to a high standard, by Richard Mortimer and Roddy Regan of the Cambridge Archaeological Unit in 2000, albeit within the constraints of a circular trench 3m in diameter (Mortimer and Regan 2001; Cessford with Dickens, Dodwell, and Reynolds 2007).

Dating The execution burials lay bracketed within a stratified sequence, and are unique in this respect. Following the cessation of Roman activity on the site, a muddy track continued to be used with a continuous build-up of soils both over the road and beside it. It was into these levels, which contained material no later than the end of the fourth century, that the execution burials were cut. There were no associated finds. The cemetery was then sealed by the laying of a smooth and compact gravel surface over the entire area exposed, although a further grave was cut through this surface. The excavators recorded indications in the northern part of the intervention that the gravel surface had in places slumped into the compressed fills of graves. Although it is possible that the surface represents an internal floor of a building put up over the cemetery, it may equally represent a short-lived resurfacing of the adjacent road as a result of Anglo-Saxon public works, with the execution site remaining in use subsequently, if only for a short period to judge by the single grave recorded cut through it. Following a further phase of building activity, a pit and subsequent layers of apparent tenth- to eleventh-century date accumulated. A series of C14 determinations confirm the secure identification of the cemetery as a place of execution in the early middle ages (see Table 23 below): Inhumation 1 returned a date of AD 680–890 (Wk-14893), Inhumation 2 a date of AD 690–950 (Wk-14894), Inhumation 4 a date of AD 680–900 (Wk-14895), Inhumation 5 a date of AD 680–880 (Wk-14896), Inhumation 6 a date of AD 680–890 (Wk-14897), Inhumation 7 a date of AD 650–780 (Wk-14898), Inhumation 8 a date of AD 660–970 (Beta-151320), Inhumation 9 a date of AD 250–430 (Wk-14900) (see ‘The dating of execution cemeteries’ below), Inhumation 10 a date of AD 710–950 (Wk-14901), Inhumation 12 a date of AD 680–880 (Wk-15454), Inhumation 15 a date of AD 770–980 (Wk-15452), and Inhumation 16 a date of AD 700–950 (Wk-14893), all at 95 per cent probability.

Burials Ten burials with an average depth of 0.5m were found, although Inhumation 9, a decapitation, is stratigraphically the earliest in the sequence and may be Roman in date, as suggested by C14 dating. Orientation of the burials was varied. In seven cases the sex of the individuals could be established, with six males and one possible female. The three unsexed burials were of juveniles, one aged *c.*12 years and two *c.*13–18 years. Instances of decapitation, prone burial, and possible tied hands all serve to confirm the character of the cemetery. The graves were tightly packed, and there is no doubt that the cemetery extends in all directions beyond the confines of the excavation trench.

Table 10. Summary of burial characteristics at Chesterton Lane

Characteristic	Occurrences	%
Prone burial	1	10
Tied hands	2 (out of 8)	25
Decapitations	5 (out of 8)	25
Multiple burial	0	0
Females	1	10

Notes The Chesterton Lane execution cemetery is a key site, not only in terms of the combination of stratigraphic and scientific dating, but also with regard to its relationship to the proposed Mercian *burh* at Cambridge. The cemetery is also one of the earliest known and during the late seventh and eighth centuries Cambridge lay on the border between the Early Anglo-Saxon Kingdoms of Mercia and East Anglia (Reynolds 2008).

Wandlebury

Location The proposed execution burials are associated with the Iron Age hillfort of Wandlebury, adjacent to the point where the boundaries of the hundreds of Thriplow, Chilford, and Flendish meet. The site is 62m above OD and lies on the north-east side of the Godmanchester-to-Cambridge Roman road. There are commanding views of the locality, including Cambridge itself. The site was recorded as a salvage exercise in 1976 after human remains were revealed below uprooted trees outside and to the south of the outer rampart of the Iron Age hillfort (Taylor and Denton 1977, p. xi). Subsequent research excavations by the University of Cambridge Department of Archaeology have revealed further evidence from the interior of the hillfort (C. French, pers. comm. 1997).

Dating There is no dating evidence from the burials themselves, and their interpretation depends on cross-comparison with the well-dated sites. Apart from the location described above and the nature of the burials outlined below, there is documentary evidence which lends weight to a judicial interpretation. Wandlebury was the site of two major Anglo-Saxon judicial assemblies. The first occurred in c.990, when a land dispute was settled there by a gathering of thirty-six lawmen representing both sides in the presence of Ealdorman

Æthelwine and the king's reeve Eadric (Hart 1966, 42; Wormald 1988, no. 143). The second assembly cannot be dated more closely than 957 × 1049 and is mentioned in a writ of Edward the Confessor of 1049 noting confirmation of the ownership of estates at Datchworth and Watton (Hertfordshire), 'as they were adjudged in the assembly of the nine shires' (Harmer 1952, 349, no. 79; Hart 1966, 51–2, Wormald 1988, no. 87). Although at hundredal level it seems that executions did not take place at assembly sites (see Ch. 6), the twice-yearly meetings of shire courts heard cases of the greatest magnitude and perhaps one might expect capital offenders to be punished in the presence of the assembly in certain cases. Perhaps the Wandlebury burials considered below were those of individuals outside the jurisdiction of the hundred court.

Burials The 1976 observations noted at least five corpses, including one possible female, buried in a long, narrow, and shallow grave, with signs that the bodies had been mutilated. The fact that certain of the corpses overlay others, however, probably accounts for this interpretation, as only one mandible showed signs of injury in the form of cut-marks to the ramus: a classic characteristic of decapitation. A further, but later recorded, eyewitness account of the discovery mentions at least ten bodies interred together in a large pit (C. French, pers. comm. 1997). Both accounts mention the presence of prone burial, but the earlier of the two is taken as the more reliable here in terms of numbers and circumstances (although neither account ascribes a prone aspect to a particular corpse which precludes the 1976 finds from analyses of prone burial). There is no plan or further record of the discovery beyond the short note published in 1977, therefore details of orientation and positioning of the hands and skull are absent and no summary table is given. The deposit may well derive from a single event and is reminiscent of the 1931 discoveries at Bran Ditch described above. Recent excavations at the site have revealed a prone corpse buried in a pit cut through the latest levels of the interior edge of the inner rampart, and although this corpse lies some distance from the 1976 discoveries, it too may be related to the judicial use of the site. A lower jaw from a cow was placed just beneath the chin, making an Iron Age date possible for this find (C. French, pers. comm. 1997). It seems likely that further discoveries remain to be made.

Notes The interpretation of the burial evidence from Wandlebury as deriving from the execution of wrongdoers is strongly backed up by historical references in addition to the location characteristics of the site. The burial deposits found may indeed be related to particular shire court meetings where more serious cases were likely to be heard.

DORSET

Wor Barrow (Fig. 19)

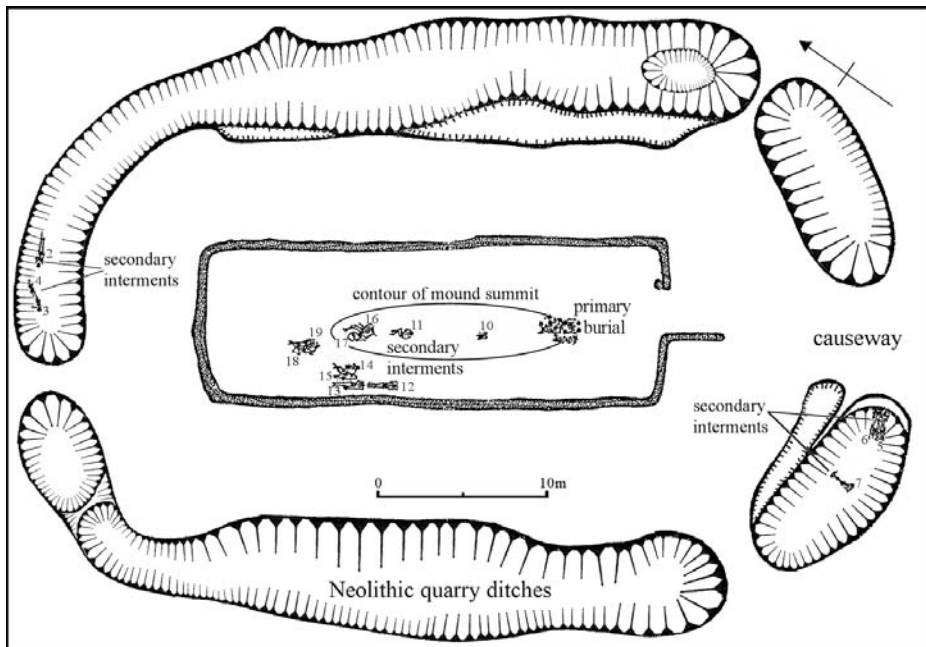


Fig. 19. Plan of the execution cemetery at Wor Barrow. (After Pitt Rivers 1898, pl. 249)

Location Wor Barrow was a massive Neolithic long barrow sited high on chalk downland at 110m OD, with an east-facing aspect and intervisibility with the execution site at Bokerley Dyke on the former Wiltshire–Dorset border. The barrow lay a few metres within the hundred of Handley and next to its boundary with the hundred of Cranborne to the east. The site is immediately adjacent to the Old Sarum–Dorchester Roman road. The mound was excavated by Lt.-Gen. Pitt Rivers in 1893–4, with execution burials found cut into the silted-up quarry ditches at either end of the barrow and into the summit of the mound at its north-western end (Pitt Rivers 1898, 58–79).

Dating Judging by the range of finds from Pitt Rivers' excavations, Wor Barrow has seen activity of varying date and character since its construction in the Neolithic period. Besides prehistoric material, substantial quantities of Roman pottery and other artefacts were recovered both from the upper ditch silts and from the body of the mound.

Dating of the execution burials relies on cross-comparison with the well-dated sites, although the place-name may be significant. The name may be a corruption of OE *wearg beorg* (criminals' barrow), and brings to mind another Dorset place-name Worgret or *wearg rōd* (criminals' cross/gallows) (Fägersten 1933, 131; Ekwall 1960, 534). Grundy's commentary on the charter bounds of Handley (Dorset) (S630) dated 956, proposed that the *Pegan Beorh* (Pega's Barrow) mentioned therein was to be equated with the present Wor Barrow (Grundy 1936–7, 116). Grinsell subsequently accepted his identification (Grinsell 1991, 50), although the number of barrows in the vicinity makes this assumption questionable. Furthermore, in Pitt Rivers's day the boundary immediately to the west of Wor Barrow incorporated round barrows at either end of the mound as marks but not the long barrow itself, and in the early nineteenth century Colt Hoare's exploration of these two barrows was halted due to the disturbance caused by the intersection of a boundary ditch with the two mounds (Pitt Rivers 1898, 58–9, pl. 248). Pitt Rivers dated the secondary interments to the Roman period on the basis of what must be considered residual finds (*ibid.*, pl. 254, fig. 2).

Burials A total of seventeen bodies were found, although the limit of the site probably remains to be established on the basis of comparison with other cemeteries. Bodies were buried at an average depth of 0.4m and with random orientation. Intercutting interments were observed. The excavation report contains much detail, with a high standard of illustrations, and there is no category of information, for the purposes of this analysis, which is absent apart from estimates of the age of individuals (No. 11 excepted).

Table 11. Summary of burial characteristics at Wor Barrow

Characteristic	Occurrences	%
Prone burial	0	0
Tied hands	0	0
Decapitations	11 (out of 15)	73
Multiple burial	8 (out of 17)	47
Females	0	0

Notes There is no documentary evidence to suggest that Wor Barrow was a place of execution, but the place-name evidence might be helpful. Although one might expect an execution site to have been mentioned in the Handley charter bounds, it seems that the ancient boundary either did not include Wor Barrow itself, or that the execution burials pre- or post-date the written evidence.

HAMPSHIRE

Meon Hill (Fig. 20a)

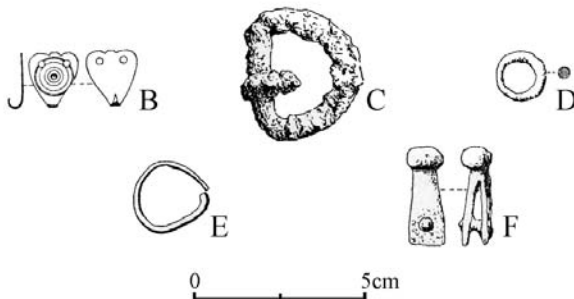
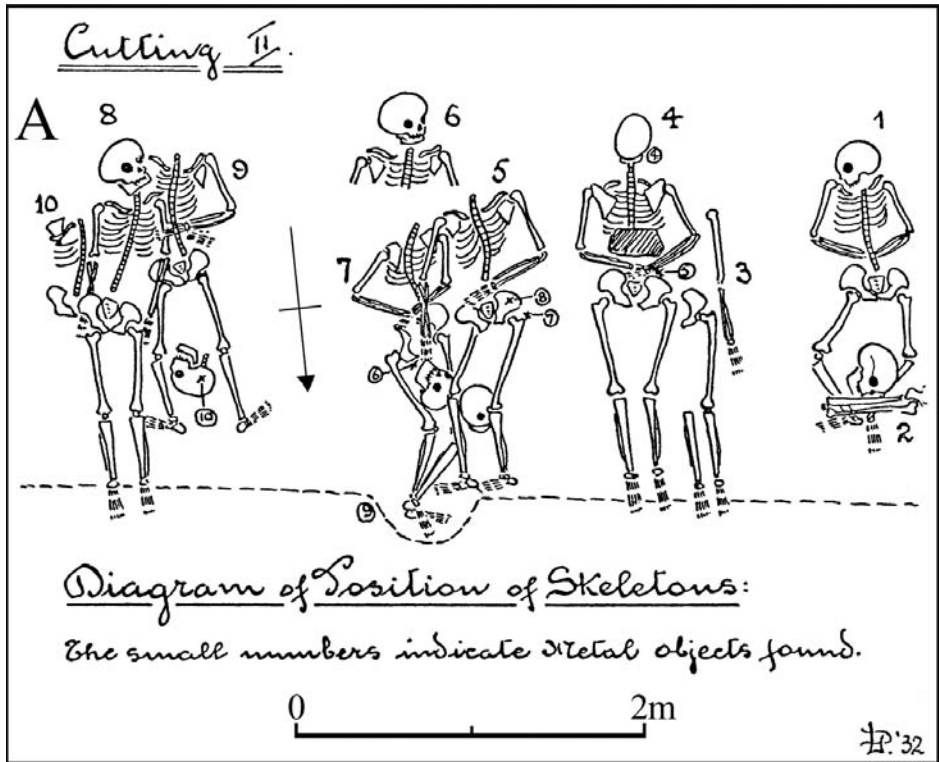


Fig. 20. (A) Plan of the execution cemetery at Meon Hill, (B) hooked-tag, (C) D-shaped iron buckle, (D) and (E) Cu alloy rings and (F) iron chape. All objects shown half-size. (After Liddell 1933, figs 8 and 15, nos 5, 8, 4, 10 and 7. Reproduced by permission of the Hampshire Field Club and Archaeological Society)

Location The execution site on Meon Hill lies on the boundary between the parishes of Longstock and Houghton, on chalk downland facing north at a height of 91m OD. Excavated in 1932 (Liddell 1933), the site is adjacent to the Winchester–Salisbury highway. The burials were dug into the ramparts of an Iron Age hillfort.

Dating A coin dating to the middle of Edward the Confessor's reign was found associated with Skeleton 5 (comments by Brooke in Liddell 1933, 155). Of further interest is the possibility that the hillfort is the *Eorthbyrig* recorded in the charter bounds of Longstock of 982 (Liddell 1933, 127) (S840). That the execution burials are not mentioned has two implications. In the first instance it could be proposed that the execution site was founded between 982 and the middle of the 1050s, which is not implausible. Alternatively, the boundary described in the charter may have run along the opposite side of the earthwork to that where the gallows stood, as does the present parish boundary. Boundary studies elsewhere indicate that the limits of Anglo-Saxon estates are usually fossilized as parish boundaries (see Ch. 5). It seems that the opportunity of having an excavated execution site with a contemporary description never arose here, because the estate boundary and gallows lay on opposing sides of the hillfort. Indeed, the gallows lay on the side of the earthwork closest to the Salisbury–Winchester highway, indicating that visibility was of paramount importance.

The Late Anglo-Saxon date provided by the coin with Skeleton 5 is supported by the finding of a hooked tag by the right hand of Skeleton 4 (Fig. 20). The Meon Hill tag has ring-and-dot decoration which may be compared with a hooked tag from Walton, Aylesbury (Buckinghamshire), which was given a broad seventh- to tenth-century date (Farley 1976, 216, fig. 24, no. 7). Hooked tags with little or no decoration are difficult to date with confidence, although during the tenth century the round-plate type appears to take prominence (Webster 1991, 235, no. 196), which may indicate an early date for the triangular Meon Hill tag. Other objects from the cemetery are not closely datable in themselves but they do provide a group of finds, dated by association, for comparison with other assemblages (Fig. 20*c–e*). An attempt to identify an artefact 'signature' for execution sites is considered below.

Burials Ten burials were found shallowly buried in the upper fills of the ditch on the north side of the rampart cutting. Nine bodies were found substantially intact, with Skeleton 2 found in a disturbed state, while intercutting burials were observed. Although details about the position of the skull of Skeleton 2 were obtained, the orientation of the body is unclear. The remainder of the bodies were laid south–north across the hillfort ditch, which was clearly the principal determinant in terms of orientation; this feature may be compared with the laying out of the bodies at Bran Ditch and Roche Court Down. All ten corpses were encountered within 0.15m of the ground surface. The excavation report is clear and fully detailed.

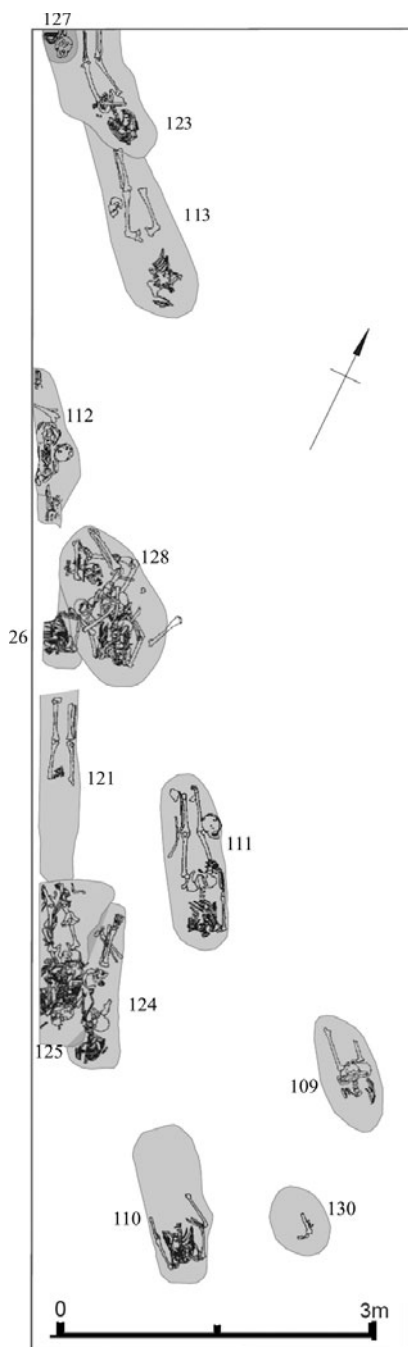
Table 12. Summary of burial characteristics at Meon Hill

Characteristic	Occurrences	%
Prone burials	2 (out of 10)	20
Tied hands	4 (out of 7)	57
Decapitations	5 (out of 9)	56
Multiple burials	0	0
Females	1 (out of 10)	10

Notes The Meon Hill site is located on a boundary of estate status. The same boundary, 3.5km to the east, however, is shared with the execution site at Stockbridge Down. The northern boundary of Somborne Hundred, within which both sites lie, is not clearly established (Munby 1982, Map of Hampshire Northern Hundreds, no. 19), but the existence of two execution sites along one boundary in the north part of the hundred strongly suggests that it formerly followed the course of the northern boundaries of the parishes of Houghton and Stockbridge. This assumption is supported by the fact that 100 per cent of execution sites mentioned in Hampshire charter boundaries lie upon the limits of the Domesday Hundreds (see Ch. 5). Alternatively, the location of both sites upon a hundred boundary may have been forfeited due to the desire for the striking visual impression that gallows on high points either side of the Test Valley and the settlement at Stockbridge would have had upon travellers by both water and road.

Old Dairy Cottage (Fig. 21)

Fig. 21. Plan of the execution burials at Old Dairy Cottage. (Courtesy of Winchester Museums Service and Copyright Wessex Archaeology: reproduced with permission)



Location The burials are sited on the boundary between the hundreds of Falemere and Barton, on chalk downland facing east at a height of 80m OD. The site lies on the west side of the Winchester–Silchester Roman road, in an area associated with Roman and Iron Age ditches and gullies. The spot also marks the meeting point of the boundary clauses of the Anglo-Saxon estates of Headbourne Worthy, Chilcomb, and Easton (S309; S376; S695). All three sets of bounds refer to the ‘*heafod stocc*’ at this location (see Ch. 5 and App. 4, nos. 10, 11, and 19). Significantly, the locality is known today as Harestock, a name derived from OE *heafod stocc* that, prior to the archaeological discoveries there, was considered by Richard Coates to denote ‘something very conspicuous’ (Coates 1989, 86–7). Winchester city centre lies 2km to the south. The burials and other features were excavated in 1990 by Paul McCulloch on behalf of the Winchester Museums Service under the site code ODC 89 (Nenk, Margeson, and Hurley 1999, no. 142). A single inhumation, probably related to the main group, was excavated by workmen close by in 1949 (Collis 1978, 158–60). Full publication of the cemetery is in progress.

Dating Two of the burials were initially dated on the evidence of iron buckles possibly as early as the seventh century, but potentially later (P. McCulloch, pers. comm. 1994; Geake 1997, 154). Radiocarbon dating of Burials 560 and 575, however, indicate that the cemetery is rather later in origin, with the skeletons providing calibrated dates of AD 770–970 and AD 890–1020 respectively at 95 per cent probability (OxA 12045 and 12046) (see Table 23 below).

The Domesday Hundred of Falemere, formerly known as the Chilcomb estate, perhaps represents the seventh-century *territorium* of Winchester (Biddle 1976b, 256–7). The Chilcomb charter bounds of 909 (S376) refer to the *ealdan cwealmstowe* (old killing place) at a different point on the boundary of the estate, which might suggest that the execution site at Old Dairy Cottage succeeded it during the later ninth century. There are, however, sufficient examples in bounds elsewhere of more than one execution site on the boundary of a single hundredal unit (see Ch. 5). The combined evidence of the charter boundaries and burials provides one of only three examples of complementary archaeological and documentary evidence for an execution site. Furthermore, the positioning of the site immediately to the north of Winchester, compounded with the ‘*heafod stocc*’ terminology, echoes Ælfric’s late tenth-century description, in his *Lives of the Saints*, of stakes for the heads of executed wrongdoers placed outside city walls (Swanton 1993, 158; Skeat 1881, 492). In this context, the relatively high proportion of decapitated corpses at Old Dairy Cottage should be noted. As a pupil in Winchester under Bishop Æthelwold in the later tenth century (Godden 1999, 9), it is possible, even likely, that Ælfric himself would have seen the Old Dairy Cottage *heafodstoccan* literally ‘in the flesh’.

Burials There were fourteen graves containing sixteen individuals, all oriented south–north. Graves were shallow and cramped, with a number of intercutting burials in evidence, although the limit of the site was not established.

Table 13. Summary of burial characteristics at Old Dairy Cottage

Characteristic	Occurrences	%
Prone burials	1 (out of 13)	8
Tied hands	4 (out of 10)	40
Decapitations	7 (out of 9)	78
Multiple burials	4 (out of 16)	25
Females	2 (out of 9)	22

Notes Old Dairy Cottage represents the first excavated execution cemetery to be described in contemporary documents, while the Castle Hill finds noted above and the two early eleventh-century deviant burials from Heathen’s Burial Corner at Steyning (West Sussex) link this significant place-name with archaeological evidence (see Ch. 5). The ninth-century dates for two of the burials are of particular interest, given both the hundred boundary location and the correspondence in chronological terms with the rise of Winchester as a central place and as capital of Late Anglo-Saxon Wessex.

Stockbridge Down (Fig. 22)

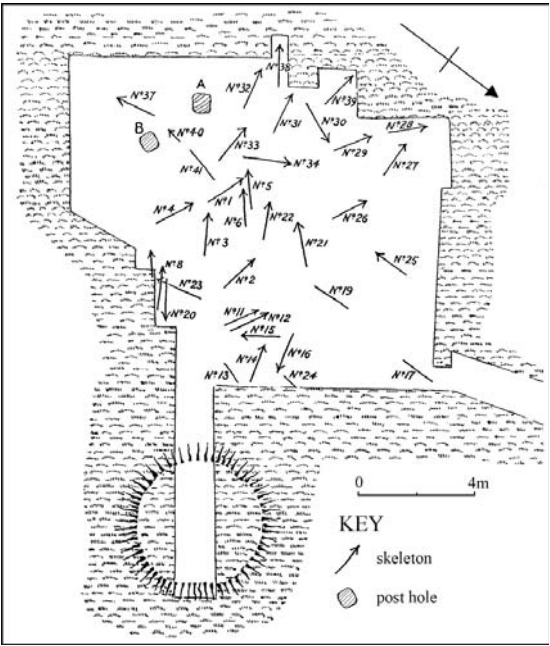


Fig. 22. Plan of the execution burials at Stockbridge Down. (After Hill 1937, pl. 3. Reproduced by permission of the Hampshire Field Club and Archaeological Society)

Location The site is situated on the Stockbridge side of the boundary, with the parish of Leckford to the north. The location is impressive in terms of visibility, lying as it does on chalk downland with a western aspect at a height of 132m OD. The Winchester–Old Sarum/Salisbury road lies just under 1km to the south and is intervisible with the site. There is an apparently purpose-built mound at the site, although only seventeenth- or eighteenth-century material was recovered from the upper layers of the feature. Excavations took place in 1935–6 (Hill 1937).

Dating The cemetery is dated by six coins of Edward the Confessor found wrapped in a piece of linen in the armpit of Skeleton 19. The latest date of use of the coins has been put at *c.*1065 (Dolley 1957; Blackburn and Pagan 1986, no. 251). Other finds include a hooked tag of round-plate type found by

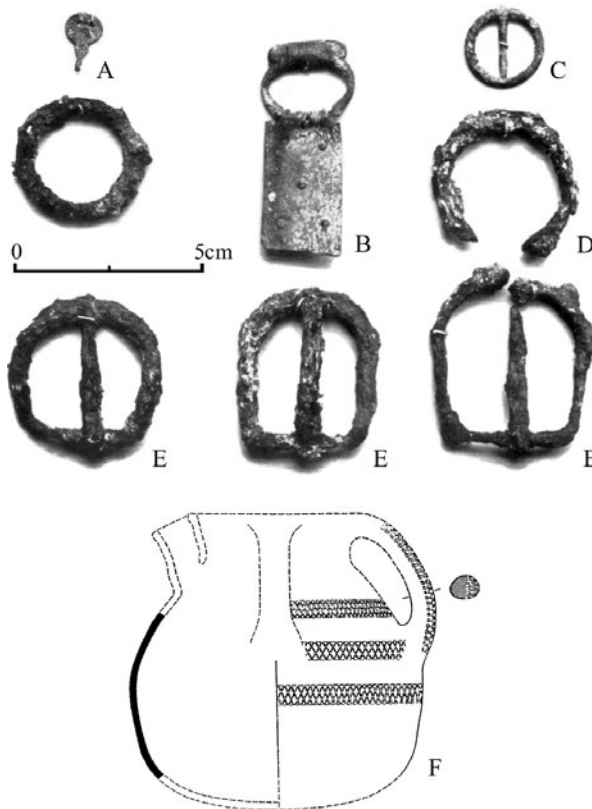


Fig. 23. (A) Hooked-tag, (B) Cu buckle and plate, (C) Cu annular buckle, (D) two of three iron rings, (E) three D-shaped iron buckles and (F) sagging-base pitcher (not to scale) from Stockbridge Down (After Hill 1937, pls 1 and 2. Reproduced by permission of the Hampshire Field Club and Archaeological Society)

the right hand of Skeleton 24, a copper-alloy buckle and plate and an annular buckle, three iron rings, and three 'D' shaped iron buckles (see 'Dating' for Meon Hill, above) (Fig. 23*a–e*). There was no stratigraphic relationship between the coin dated Skeleton 19 and other burials. Two large postholes at the south-west edge of the site clearly mark the position of a double-post gallows of Cotton Claudius BIV type (see Fig. 40 below). Posthole B was associated with a large fragment of a sagging-base pitcher of Saxo-Norman type (Fig. 23*f*). Dunning assigned the sherds to the post-Conquest period on the basis of the presence of glaze, although there are few grounds for using the Conquest as a chronological peg for dating ceramic styles and technologies (Dunning in Hill 1937; Hurst 1976, 343). Subsequent work on pitchers of Winchester Ware type—to which the Stockbridge sherds belong—has shown that glazed pottery was in use in Winchester itself from the tenth century (Biddle and Barclay 1974, 137).

Burials There were forty-one burials with several intercutting graves, although the limit of the site was not fully established. Graves were generally shallow and cramped, where recorded, although by contrast four graves were found with depths between 0.7m and 1.07m; all were males with the hands tied behind the back, and two were prone. Orientation was varied, with no observable meaningful patterning. The excavation report is well organized, with the details of each burial clearly laid out. The site plan is unfortunately diagrammatic, but there are good photographs of certain of the burials. No details as regards age were presented (apart from Skeleton 18, which was judged to be about 17 years old), but it can be reasonably presumed that all were adult.

Table 14. Summary of burial characteristics at Stockbridge Down

Characteristic	Occurrences	%
Prone burials	7 (out of 40)	18
Tied hands	16 (out of 33)	49
Decapitations	4 (out of 34)	12
Multiple burials	4 (out of 41)	10
Females	0	0

Notes The deliberately constructed mound is of interest and invites comparison with Crosshill and South Acre (see below). There is no documentary evidence for an execution site on Stockbridge Down. See also 'Notes' for Meon Hill above.

MIDDLESEX

Staines (Fig. 24)

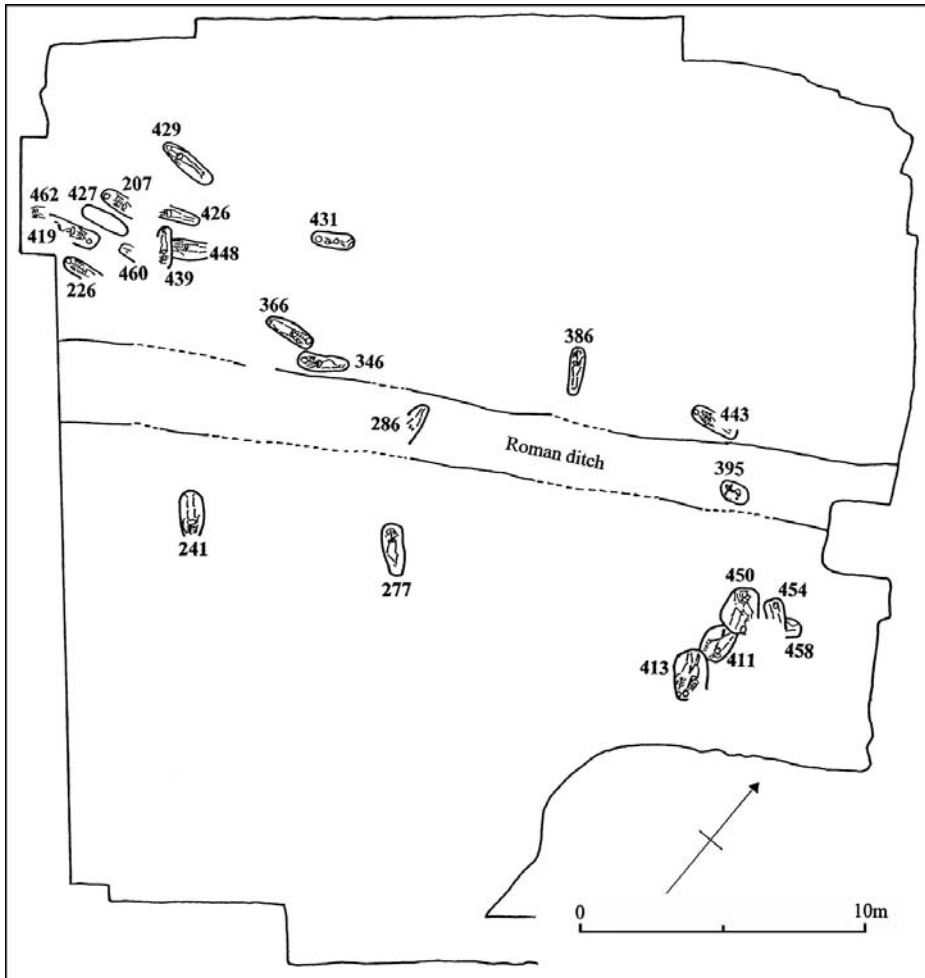


Fig. 24. Plan of the execution burials at Staines. Note the clustered multiple burials. Incomplete graves truncated by later activity. (After Hayman and Reynolds 2005, figs 4 and 5. Reproduced by permission of the Royal Archaeological Institute and the Surrey County Archaeological Unit)

Location The cemetery lies 100m south of the Staines parish boundary, while the boundary of the hundred of Spelthorne, within which Staines is located, and the county boundary with Berkshire, is 500m to the south and west of the site. During the later seventh or earlier eighth century, when the cemetery was founded (see 'Dating' below), the site also lay at the boundaries of a series

of Early Anglo-Saxon territorial entities and close to an important crossing over the River Thames (Reynolds 2008). The cemetery lies on flat ground, some 15m above OD, but is sited alongside the London-to-Silchester Roman road. Staines evidently possessed urban attributes by the time of the Domesday Survey (O'Connell and Poulton 1984, 41). The locale is characterized by the presence of substantial Roman-period boundary ditches, and it is probable that these features influenced the selection of the site as a place of execution. The cemetery was excavated by Graham Hayman in 1999 in advance of construction work (Hayman and Reynolds, 2005).

Dating Staines is one of the few sites for which a series of AMS radiocarbon determinations has been obtained (see Table 23 below). The results indicate that execution burials took place there between the eighth and twelfth centuries. Burial S226 returned dates of AD 670 to 900 at 95 per cent confidence (AA-38407 (GU-8994)); Burial S241 returned dates of AD 990 to 1170 at 95 per cent confidence (AA-38408 (GU-8995)); Burial S277 returned dates of AD 1030 to 1220 at 95 per cent confidence (AA-38909 (GU-8996)). Burial S241 is cut by a major ditch, which is itself cut after it had silted up by Burial S277. On the basis of the radiocarbon determinations these two burials were made about sixty years apart, suggesting that the limit of the site was redefined during its use. None of the burials was furnished, which might suggest stripping of the corpses prior to burial.

Burials Many of the burials had suffered truncation of the skulls or limbs, although sufficient characteristics were recorded to facilitate identification of the site as a place of execution. A total of thirty-one burials were excavated and recorded, although a few of these consisted only of charnel in shallow depressions. All of the burials were made in shallow graves. The age profile of the burials reveals a juvenile of about 10 years old. The age range in execution cemeteries rarely extends below 15. The clustering of multiple burials is of considerable interest. Three of the four graves containing more than one individual lay at the same spot, yet each multiple interment cut another, indicating longevity of this particular part of the cemetery as a location for these distinctive burials. The limit of the cemetery remains to be established.

Table 15. Summary of burial characteristics at Staines

Characteristic	Occurrences	%
Prone burials	5 (out of 26)	19
Tied hands	6 (out of 22)	27
Decapitations	6 (out of 14)	43
Multiple burials	9 (out of 31)	29
Females	1 (out of 14)	7

Notes The Staines cemetery is a classic example of an execution cemetery in terms of its location and the character of its burials. The site is of particular importance for the fact that it indicates considerable longevity of use, but also memory in terms of the consistent location of multiple burials.

NORFOLK

South Acre (Fig. 25)

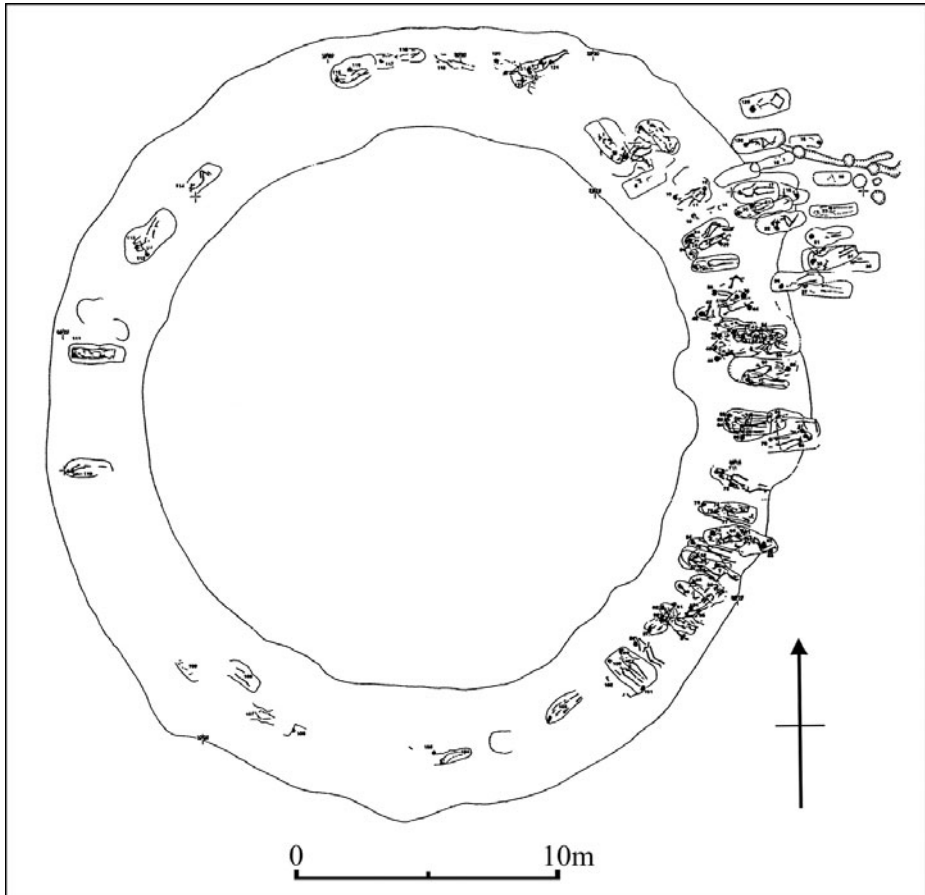


Fig. 25. Plan of the execution cemetery at South Acre. (After Wymer 1996, fig. 45 and pl. 59. Copyright Norfolk Historic Environment (NMA5))

Location The execution cemetery at South Acre was located on a substantial, but now ploughed-out, round barrow. Despite the excavator's view that the mound was probably Late Neolithic or Early Bronze Age in origin (Wymer 1996, 88), the archaeological sequence does allow for a much later date, and perhaps the mound is a deliberate construction for the purpose of marking an

execution site. The presence of other, unexcavated ring-ditches nearby perhaps militates against this hypothesis, although no certain prehistoric interments were found and two coffined burials are as likely to be Later Anglo-Saxon as prehistoric. Explanations for the presence of coffined burials at execution cemeteries are considered below.

The barrow lay within the hundred of South Greenhoe, adjacent to its boundary with the hundred of Freebridge. The geology is gravel and the site lies at a height of 30m OD. An east–west road, one of several routes of communication between Norwich and King’s Lynn, passes immediately to the south of the site. Excavations by Dr John Wymer took place in 1987–8, on behalf of the Norfolk Archaeological Unit in advance of gravel quarrying (Wymer 1996, 58–92). Execution burials were mainly found cut into the upper fills of the barrow ditch, but a distinct group lay at the north-east edge of the ditch in association with a group of postholes that appear to represent settings for a Cotton Claudius BIV-type gallows (see ‘Dating’, Stockbridge Down above and Fig. 40 below).

Dating The South Acre site is one of the few for which C14 determinations have been made (see Table 23 below). Samples for dating were taken from Skeleton 75, one of the burials from the ring ditch, and Skeleton 33, which lay adjacent to the structural features at the north-east edge of the ditch. The dates returned for Skeleton 75 are AD 120 to 550 (HAR-10239) at 95 per cent confidence, and for Skeleton 33, AD 680 to 1030 at 95 per cent confidence (HAR-10238). C14 dating in the Anglo-Saxon period is fraught with problems. The fifth and sixth centuries do not provide accurate dates, nor do the eighth and ninth centuries, but opportunities for accurate dating are provided during the seventh and tenth centuries (A. Bayliss, pers. comm. 1997). The early South Acre dates, therefore, are not to be taken as reliable, and might or might not indicate an early date for the commencement of the inhumation of execution victims at the site (perhaps in the seventh century?). Scattered finds of Early Anglo-Saxon pottery (Wymer 1996, 72, fig. 46) suggest that inhumation/s of pagan character may have been disturbed by the execution site, although the earlier C14 date is without doubt derived from one of the execution burials. The later C14 dates are in keeping with the date range indicated by artefacts from other excavated execution sites, although the possibility of a ninth-century date for Skeleton 33 is another indication of pre-tenth-century origins for execution sites. In summary, although none of the artefacts from South Acre accompanied execution burials, an Anglo-Saxon date is confirmed by the C14 determination from Skeleton 33.

Burials Local geology at South Acre has determined the poor preservation of many of the skeletons, while a high frequency of intercutting graves has further complicated the sorting of the bodies from one another. The result of such

problems of preservation is that details of sex, body position, and the position of the hands and skull is often lacking. Nevertheless, 136 individuals were identified (McKinley 1996, 76–87; table 93). Details of sex were particularly problematic, and the analysis of females presented below includes all *possible* females as well as those more confidently identified (although see ‘Notes’ below). With the exception of Burials 104 and 117, which were buried at depths of 1m and 0.8m respectively in the south part of the ring ditch, all of the bodies were interred in shallow graves. The majority of burials had the head pointing in the direction of the centre of the mound, although the burials in the north, south, and west of the ring ditch tended towards a west–east orientation. The limit of the burials was probably fully established.

Table 16. Summary of burial practices at South Acre

Characteristics	Occurrences	%
Prone burials	7 (out of 64)	11
Tied hands	2 (out of 29)	7
Decapitations	5 (out of 58)	7
Multiple burial	11 (out of 44)	25
Females	36 (out of 70)	51

Notes The most intriguing aspect of the burials at South Acre is the extraordinarily high proportion of females, although it could be argued that analysts of the skeletal material from earlier excavations were guided more by what they might assume the sex of individuals from an execution cemetery to be. Bones from the majority of early excavations were normally sent to specialists in physical anthropology (such as Sir Arthur Keith), and it is perhaps unlikely that they would have produced so consistently a biased result, especially with regard to sex. McKinley gives sex identifications with three degrees of confidence: ‘??’ for possible, ‘?’ for probable, and ‘F’ or ‘M’ for unquestioned sexing (McKinley 1996, 76). A breakdown of her results appears thus: the total number of females is thirty-six, of which sixteen are possible, ten are probable, and ten unquestioned; the total number of males is thirty-four, of which seven are possible, twelve are probable, and fifteen are unquestioned. In short, where the sex of an individual is in particular doubt, a preference to ascribe a female sexing is twice as likely as male sexing. The ratios do not compare with the other cemeteries, and it seems that problems of bone preservation have accentuated the difficulties of sex identification. This said, it must be borne in mind that preconceptions of female gracility in the nineteenth and earlier twentieth centuries have undoubtedly led to misidentification as male of an unknown number of skeletons from execution (and other) cemeteries. There is no documentary evidence for an execution site at South Acre.

NOTTINGHAMSHIRE

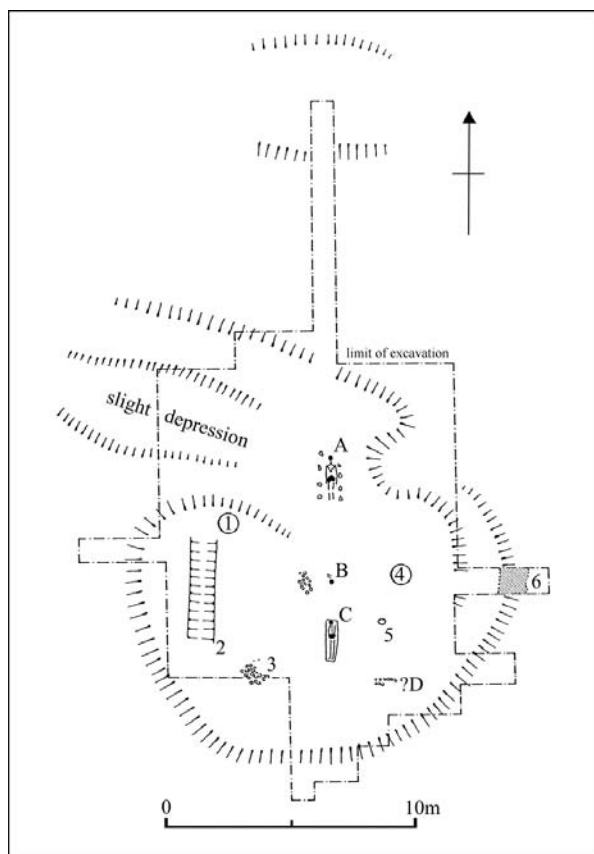
Crosshill (Fig. 26)

Fig. 26. Plan of the execution cemetery at Crosshill: 1 highest point of mound, 2 'western' ditch, 3 stone-packed post-hole, 4 find-spot of medieval ring, 5 post-hole and 6 cobbled surface. A-D = location of skeletons. (After Kinsley 1993, fig. 3. Reproduced by permission of Trent and Peak Archaeology)

Location The now-levelled Crosshill tumulus was sited just above the 110m contour line, on stiff clay and with a western aspect. The barrow lay on the boundary between the hundreds of Rushcliffe and Bingham, where they meet with the county boundary between Leicestershire and Nottinghamshire. The Fosse Way lay 50m to the west of the mound. Excavations in advance of roadworks were undertaken in 1947–8 by Dr F. M. Heichelheim of University College Nottingham (Heichelheim 1951). The mound, which measured about

16m in diameter, was irregular and exhibited signs of robbing, although the excavator's account does not remark upon this, and the standard of the excavation and its recording have left doubts as to the reliability of the observations (Kinsley 1993, 4). At least five secondary burials were found cut into the top of the mound, although only four are recorded on the plan (*ibid.*).

Dating The confused and inadequate primary account gives little assistance with regard to dating individual burials by association with finds. The general sequence, however, is more helpful. The Crosshill tumulus is clearly post-Roman, as it overlies a series of poorly recorded Roman structures and a ditch containing second- to fourth-century pottery. There are indications that the mound was a post-Conversion Anglo-Saxon construction. The location of the late fifth- to early seventh-century inhumation cemetery at Broughton Lodge 150m to the south is perhaps significant. Had such a substantial mound existed during this time it might be reasonably expected that the feature would have become a focus for burials. In addition, no primary interment was recognized. Burial A is probably that dated by the excavator to the late Roman period on the basis of (surely residual) finds, whereas the others were dated to the Anglo-Saxon or Danish periods by 'pottery and stratification' (*ibid.*). A single stone-packed posthole interpreted as the setting for a medieval gallows may be discounted, as two or more such features are required for both early and later medieval gallows; medieval pottery was found within this feature and over the top of the mound along with material of post-medieval date. Ultimately there must be doubts about the dating of the site due to the poor quality of the recording of the excavations, but sufficient criteria are met to support a pre-Conquest judicial interpretation. Location adjacent to a major Roman road and on a county boundary is highly significant. The deliberate construction of a mound at an execution site can be paralleled at Stockbridge Down and perhaps South Acre, while the partial condition of Skeleton B is reminiscent of a number of the Bran Ditch corpses (see 'Burials with evidence of injury' below).

Burials At least five inhumations were recognized in the 1951 excavations, and while their depth is not known, the orientation displayed by the four corpses recorded on plan (lettered A–D) is characteristically varied. Judging by the known extent of other execution sites it is unlikely that the limit of the burials has been established, as very little of the ground adjacent to the mound was explored. No summary table is given below, due to inadequate information being available, but it seems that all inhumations were adult. There were no recorded instances of prone burial, decapitation, or tied hands, although

Skeleton A had a large stone slab on its chest, a feature observed at Abingdon (see above).

Notes By Stukeley's time the local folk conducted an 'annual festival' on the mound, but an adjacent field was known as 'thieves' (Stukeley 1724, 100–1; quoted in Kinsley 1993). The use of the barrow for executions must surely have been long forgotten for it to become the site of annual festivities, unless the site was formerly that of a shire moot, in which case similarities with the Wandlebury finds become apparent.

OXFORDSHIRE

Wallingford/Crowmarsh (Fig. 27)

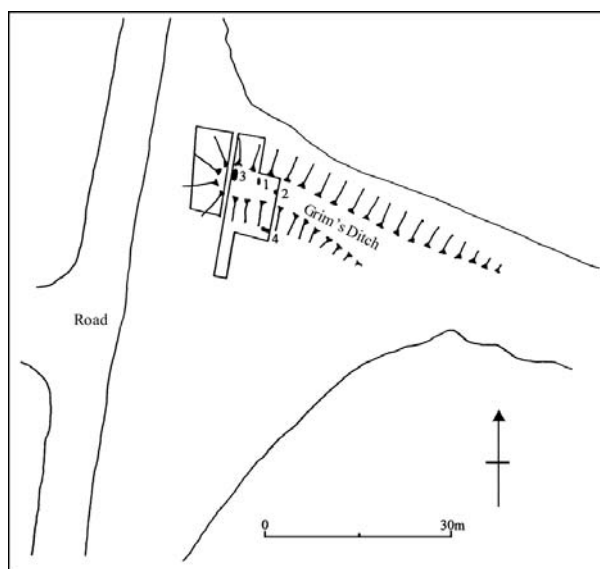


Fig. 27. Plan of the execution burials at Wallingford/Crowmarsh. (After Hinchliffe 1975, figs 2 and 3. Reproduced by permission of the Oxford Architectural and Historical Society)

Location The burials were found at the western termination of the South Oxfordshire Grim's Ditch, an Iron Age linear earthwork, which ran westward virtually to the Thames where the river runs southwards some 1.3km south of the Anglo-Saxon *burh* at Wallingford. The termination of the earthwork lies in the historic county of Oxfordshire, in Crowmarsh parish 750m east of the riverbank, with Wallingford itself on the west bank of the river in Berkshire. The site of the burials is elevated 70m above OD and affords a clear view into Wallingford itself, and lies adjacent to the 'Portway' linking

Reading with Wallingford and Dorchester. Burials were discovered in 1974 during excavations in advance of road-widening (Hinchliffe 1975).

Dating No finds were made with the burials, although three were clearly secondary burials within the Grim's Ditch earthwork with one burial cutting the tertiary silts of the ditch.

Burials Only four burials were found, none was sexed or aged, yet all were apparently adults. Burials 2 and 3 were oriented with the heads to the north; Burial 4 lay with the head to the west, while Burial 1 was too disturbed for a determination to be made. Burials 1 and 2 lay 0.2m below ground level, with Burial 3 at 0.5m and Burial 4 at 0.65m.

Notes The association of the burials with a linear earthwork, proximity to major routes, by road and water, and to a major boundary suggest an execution cemetery here, although a degree of doubt must remain. The site is apparently some distance to the west of the 'heathen burials' mentioned in the charter bounds of Newnham Murren of 966 (S738).

SUFFOLK

Sutton Hoo (Figs. 28, 29, and 30)

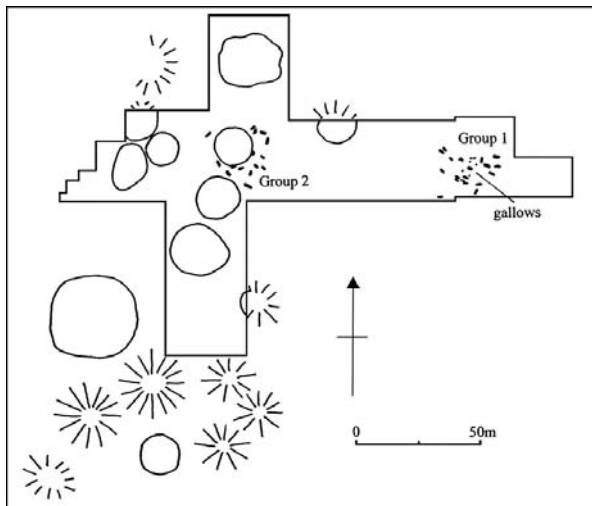


Fig. 28. Plan of the Anglo-Saxon barrow cemetery at Sutton Hoo, showing the relationship between the Group 1 and Group 2 execution burials. (Redrawn after Carver 2005, fig. 19)

Location The barrow cemetery at Sutton Hoo comprises nineteen mounds of late sixth- to early seventh-century date, lying at an altitude of 30m OD

overlooking the River Deben, with the western boundary of the hundred of Wilford 500m to the west. The underlying geology is corrosive sand, not conducive to the survival of human bone. The barrows lie 1km to the east of the Wilford Bridge-to-Sutton road, but along the line of an earlier route pre-dating the construction of Wilford Bridge (Carver 2005, 460, fig. 206). The burials were excavated by Professor Martin Carver, University of York, between 1986 and 1992 (*ibid.*). Two groups of execution burials were found. Group 1 (Fig. 29) lay at the eastern limit of the recent excavations, while Group 2 (Fig. 30) were associated with Mound 5. This latter aspect raises important implications with regard to the layout and extent of other execution cemeteries, demonstrating that multiple foci can occur.

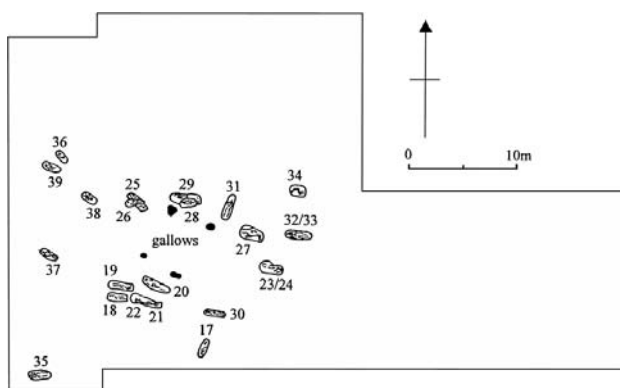


Fig. 29. Plan of the Group 1 execution burials at Sutton Hoo. (Redrawn after Carver 2005, fig. 141)

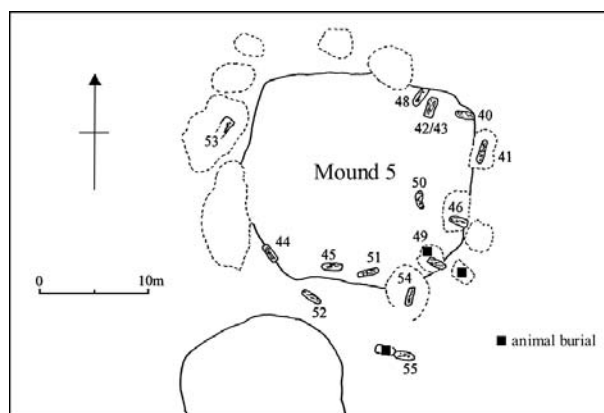


Fig. 30. Plan of the Group 2 execution burials at Sutton Hoo. (Redrawn after Carver 2005, fig. 149)

Dating All details with regard to dating are taken from Carver (2005), and are recalibrated and presented in Table 23 below. The two groups of burials at Sutton Hoo are clearly related chronologically according to the C14 determinations obtained. C14 dates were obtained for Burials 17, 22, 30, 35, and 39 from Group 1 and from Burials 40, 42b, and 45 from Group 2. The dates are given as follows at 95 per cent confidence: (Group 1) Burial 17 AD 570–890 (HAR-6800), Burial 22 AD 660–990 (accelerator) (OxA-819); Burial 30 AD 980–1220 (BM-3035), Burial 35 AD 640–980 (BM-2825), Burial 39 AD 880–1030 (BM-3036); (Group 2) Burial 40 AD 890–1160 (BM-2865), Burial 42b AD 640–780 (BM-2824), Burial 45 AD 880–1040 (BM-3037). Burial in Group 2 may have begun at the same time as in Group 1, with Burial 53 interred in the freshly dug quarry pit for Mound 5. Pottery with an eleventh- to thirteenth-century date range was found associated with Burial 55 (*ibid.* 139). This latter find, in combination with the latest radiocarbon dates, indicate that executions finally ceased at Sutton Hoo in the post-Conquest period, a feature likely at a number of other sites (see Chs. 5 and 6). A date of AD 680–990 (BM-3041) was obtained from wood from one of the postholes of the gallows setting.

In terms of overall characteristics the site fulfils the criteria necessary for interpretation as an execution site. The two burial foci are unique, but not inexplicable. Group 1 were associated with two pairs of postholes set 3m apart, indicating a Cotton Claudius BIV-type gallows (see Ashtead below and Fig. 40 below) set apart from the mounds. No such features were observed in the vicinity of Mound 5. This might suggest that those who were hanged all met their end upon the gallows associated with Group 1, but that certain individuals were buried within or adjacent to Mound 5 because they had committed specific offences. The use of space in such a way can be seen at Staines (see above). The ideology behind the burial of execution victims in barrows is explored in Chapter 6.

Burials Group 1 contained twenty-three corpses buried at an average depth of 0.5m. Burials 18 and 34 were 0.92m and 0.91m deep respectively, and it is of interest to note that both were within coffins, or perhaps placed upon biers, oriented west–east. Overall twelve out of the twenty-three burials were oriented west–east, although there seems to have been little if any significance to this aspect. The limit of the group was very probably established, and the available records are of the highest standard. The Group 2 burials comprised seventeen individuals disposed largely around the southern and eastern edge of Mound 5. Grave depth varied between 0.2m and 0.7m, with no meaningful patterning observed. Similarly, orientation was varied but with no discernible trends. The full extent of the burials was very probably established.

Owing to problems of preservation, details of sex could be proposed in only fourteen out of thirty-nine individuals, and age in twenty-eight out of

thirty-nine cases. It can only be viewed as advantageous for the study of burial positions, however, that ‘sand bodies’ formed under such soil conditions provide such a vivid impression of the human form in the grave.

Table 17. Summary of burial practices at Sutton Hoo

Characteristic	Occurrences	%
Prone burials	8 (out of 37)	22
Tied hands	9 (out of 36)	25
Decapitations	10 (out of 36)	28
Multiple burials	7 (out of 39)	18
Females	2 (out of 14)	14

Notes There is no documentary evidence to suggest executions at the site. The potentially seventh-century origin of the execution cemeteries is of significant interest, particularly with regard to the association with the high-status burials (see Ch. 2, ‘Sacrifice’).

SURREY

Ashtead (Fig. 31)

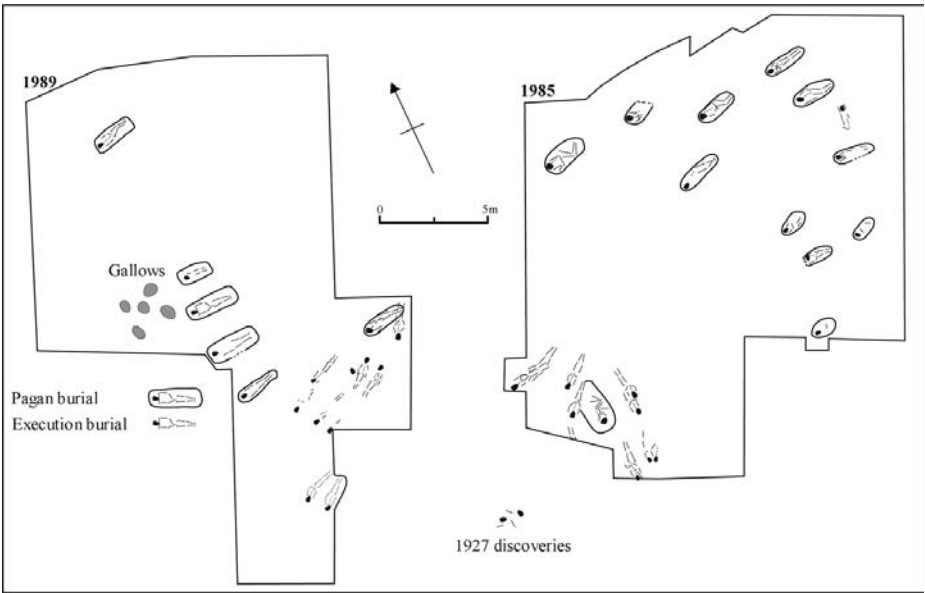


Fig. 31. Plan of the execution burials and Early Anglo-Saxon cemetery at Ashtead. (After Hayman 1991-2, fig. 3. Reproduced by permission of the Royal Archaeological Institute and the Surrey County Archaeological Unit)

Location The execution cemetery at Ashted is sited on chalk downland at a height of 110m OD, on the boundary between the parishes of Ashted and Leatherhead in the western part of the hundred of Copthorne. The location affords a commanding view towards Leatherhead to the west. The major Roman road Stane Street runs 1km to the south-east. The site was excavated in two episodes by the Archaeology Section of Surrey County Council, in 1985 under the direction of Rob Poulton and in 1989 under the direction of Graham Hayman (Poulton 1989; Hayman 1991–2). The execution burials were found superimposed upon an Early Anglo-Saxon cemetery of late sixth- to seventh-century date. A concentration of postholes at the north-western limit of the 1989 excavations probably indicates the position of the gallows. Two pairs of postholes in particular mark out a square area approximately 2m × 2m which bears comparison with the four postholes found in association with the Group 1 burials at Sutton Hoo (see Sutton Hoo above).

Dating Two burials contained undatable finds, S18 a ?leather belt and S537 an unidentified fragment of iron. Where execution burials exhibited a stratigraphic relationship with Early Anglo-Saxon interments the former cut the latter in every case. Dating therefore relies on cross-comparison with the well-dated sites. The boundary location is significant, although the boundary type as presently observed is of parish status (see ‘Notes’ below).

Burials Sixteen burials were found, but the limit of the execution cemetery was not established. The burials were all less than 0.5m deep, with the average depth around 0.2m. Orientation is varied, although half of the burials were aligned south–north. The excavation reports are detailed and fully comprehensive.

Table 18. Summary of burial practices at Ashted

Characteristic	Occurrences	%
Prone burials	2 (out of 16)	13
Tied hands	5 (out of 13)	38
Decapitations	3 (out of 13)	23
Multiple burials	0	0
Females	1 (out of 12)	8

Notes There is no documentary evidence to suggest an execution site at Ashted. The site is one of the few not located on a hundred boundary, and there is no evidence for the existence of a barrow or other earthwork. The area was formerly occupied by an industrial complex, the construction of which may have destroyed such features. Although the current boundary is of

parish status, the estate at Leatherhead was bequeathed to Edward the Elder in the will of Alfred (Keynes and Lapidge 1983, 176, map 5, no. 14). Ashted itself was a chapelry of Leatherhead, and the boundary between the two was seemingly not of major administrative status during the early middle ages, although the history of the minster at Leatherhead and its lands is complex (Blair 1991, 101), and the location of an execution cemetery on what is now a parish boundary strongly hints at a formerly significant land division and the importance of Leatherhead as a central place.

The plan of the excavated area shows two concentrations of burials: at the eastern edge of the 1989 excavations and at the western edge of the 1985 excavations. It is possible that the execution burials were clustered around a former mound in the unexcavated area, but this hypothesis remains to be tested.

Eashing

Location The Eashing cemetery is situated at the meeting point of the parishes of Godalming, Pepper Harrow, and Witley in south-west Surrey. Although not a hundred boundary, the site lies on the boundary nearest to the Anglo-Saxon *burh* at Eashing, itself a royal estate mentioned in the will of King Alfred (Hill 1996, 200). Some 300m south-west of the fort, the cemetery overlooks approaches to the site from all directions except the east. The burials were found in a limited intervention in 1931, during road-widening; no pre-existing features are noted in the primary account of the discovery (Winbolt 1932).

Dating The probability that Anglo-Saxon burials are represented is heightened by the location of the cemetery at the meeting point of three parish boundaries, proximity to the *burh*, and the presence of a copper-alloy pin with a 'small spherical head ornamented like a "melon" bead' with Burial 6, a woman buried prone, that was considered Roman by the excavator (ibid. 119). The object is just as likely to be of Middle Anglo-Saxon date (see e.g. Hinton 1996, 16; Ross 1995, 1042, fig. 444, nos. 484 and 485, 1044), although its worn condition might suggest deposition in the later Anglo-Saxon period.

Burials Seven burials are recorded. Two interments lay with the heads to the south (nos. 3 and 4), two to the south-east (nos. 1 and 6), and one to the south-west (no. 2); the direction of the remaining two is unknown. Sir Arthur Keith inspected the remains and identified two women and three men, although only Burial 6 is ascribed a female sex in Winbolt's published list. The burials lay at a depth of between 0.75m and 1m, although Plate XXIV in Winbolt's

report shows a considerable depth of redeposited topsoil in section and it seems that the original burials were much shallower. Apart from Burial 6 all were interred supine. Burials 2 and 3 possibly had the hands tied to the front. Winbolt describes the leg bones of Burial 1 as being 'laid out in one line', which suggested to him that this individual, and, he thought, the others, had been interred after decomposition. Several of the burials appear to have suffered truncation, and the overall lack of detail precludes a summary table. The limit of the site remains to be established.

Notes The characteristics of the Eashing burials are such that their identification as execution burials can be proposed with a reasonable degree of confidence. The cemetery is seemingly one of those located in relation to a central place, in this case a *burh*.

Gally Hills (Fig. 32)

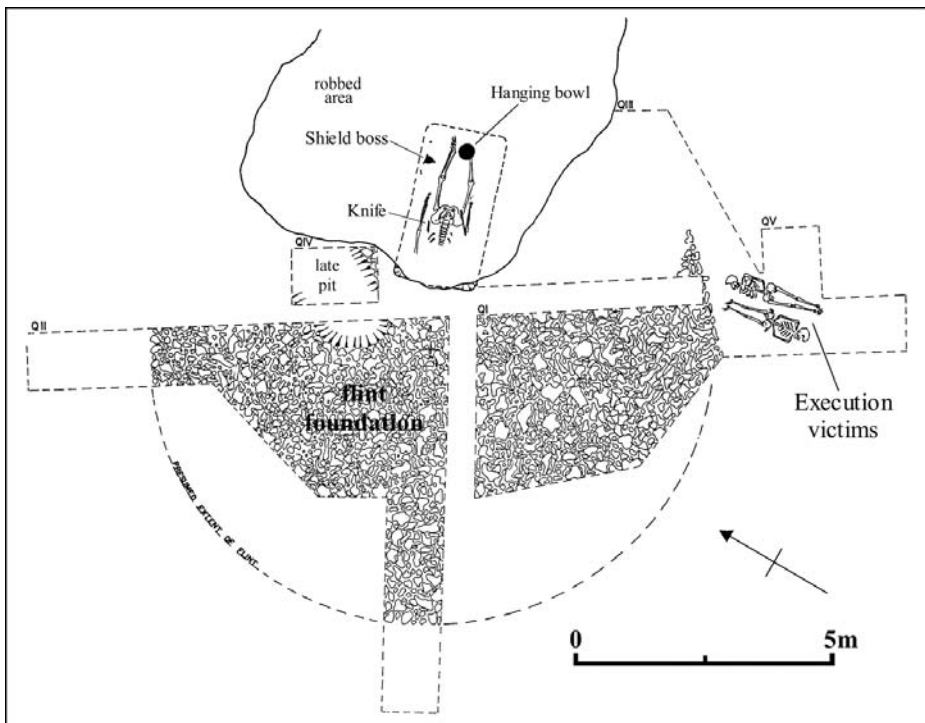


Fig. 32. Plan of the execution site at Gally Hills. (After Barfoot and Price-Williams 1976, fig. 1. Reproduced by permission of the Surrey County Archaeological Unit)

Location The execution site focuses on a round barrow high up on the Banstead Downs at 125m above OD, just within the hundred of Wallington, but adjacent to its boundary with the hundred of Copthorne to the west. The major Roman route Stane Street lies 3km to the west. The barrow in question was excavated in 1972 under the direction of James Barfoot and David Price-Williams on behalf of the Surrey Archaeological Society (Barfoot and Price-Williams 1976, 59–76). Execution burials were found cut into the top of the mound and at its south-eastern edge. The primary interment in the barrow is dated to the seventh century by the occurrence of a sugar-loaf shield boss (Evison 1963, 66). The upper part of the torso had been truncated by later disturbance, interpreted by the excavators as a posthole for a gallows (Barfoot and Price-Williams 1976, 65). A single posthole is not indicative of a pre-Conquest gallows, as indicated by the South Acre, Sutton Hoo, Ashted, and Stockbridge Down excavations, and nor does the evidence from other sites support the placing of gallows actually on mounds, although it is possible that grave-robbing and erosion will have removed evidence for gallows settings atop barrows.

Dating The argument for a pre-Conquest date rests largely on the basis of comparison with the securely dated sites. The seventh-century primary interment provides a *terminus post-quem* for the secondary inhumations, and a terminal date is suggested by a substantial eighteenth-century pit cut into the side of the mound which contained disarticulated human bone in its filling. No finds were associated with the burials.

Burials Five burials are indicated in the published report, four being articulated and one represented by loose bones. Inhumations 1 and 2, representing a double burial, were block-lifted and excavated ten years later in the Bourne Hall Museum by Dr Tony Waldron, where both corpses were found to exhibit flexion of the hands (Waldron and Waldron 1988). The four articulated bodies were shallowly buried, with an average depth of just over 0.2m. Orientation where recorded shows two corpses aligned south–north and one north–south. The extent of the burials was not established. Limited recording of the secondary burials from the 1974 excavations has precluded summary tabulation of the burial data.

Notes The place-name is clearly significant (see ‘Notes’ for Galley Hills (Bedfordshire) above), although there is no documentary evidence to indicate that executions took place at the site.

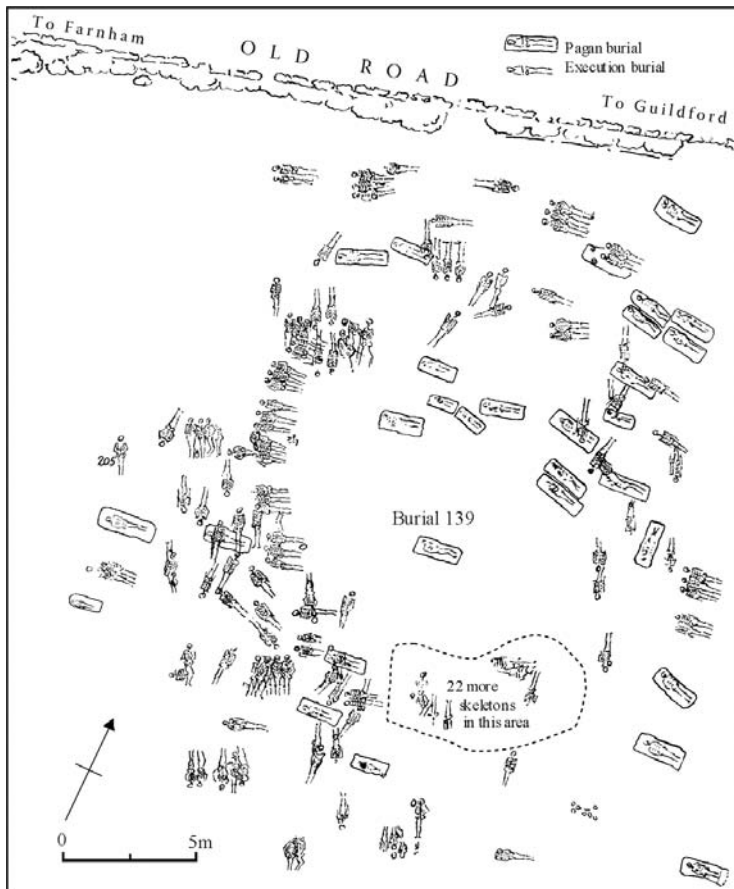
Guildown (Fig. 33)

Fig. 33. Plan of the execution burials and Early Anglo-Saxon graves at Guildown. Note open ground around Early Anglo-Saxon Grave 139 suggesting position of former barrow. (After Lowther 1931, plan facing page 1. Reproduced by permission of the Surrey County Archaeological Unit)

Location The Guildown execution cemetery is located on chalk downland immediately to the west of the Late Anglo-Saxon town of Guildford and within Woking Hundred, some 500m to the east of its boundary with the hundred of Godalming. In common with the Surrey sites at Ashted and Galley Hills, the execution burials are superimposed upon an Early Anglo-Saxon cemetery, of sixth-century date in this instance (Lowther 1931). The focus of the Guildown cemetery was probably a round barrow, or barrows, of Early Anglo-Saxon date. The excavation plan clearly shows a void around the sixth-century Inhumation 139, and other smaller mounds could be suggested on the basis of a coincidence between other areas largely devoid of burials but distinguished

by concentrations of finds. The cemetery was excavated on behalf of the Surrey Archaeological Society by Colonel O. H. North and A. W. G. Lowther during 1929, and fully published by the latter (*ibid.*).

Dating The cemetery is dated by a coin of Edward the Confessor of 1043 found on the pelvis of Burial 173, one of a triple interment including Burials 174 and 175. This triple burial cut through another below which comprised Burials 170, 171, and 172. The range of finds associated with other burials at the site included 'D'-shaped iron buckles with Burials 93, 127, and 180 and a copper-alloy buckle with Burial 208 (Fig. 34).

Burials One hundred and eighty-three execution burials were found, although it seems unlikely that the limit of the site was established. While the average depth of the graves is 0.5m, deeper graves are known in a number of instances, including Grave 103, double Grave 114–15, triple Grave 117–19,

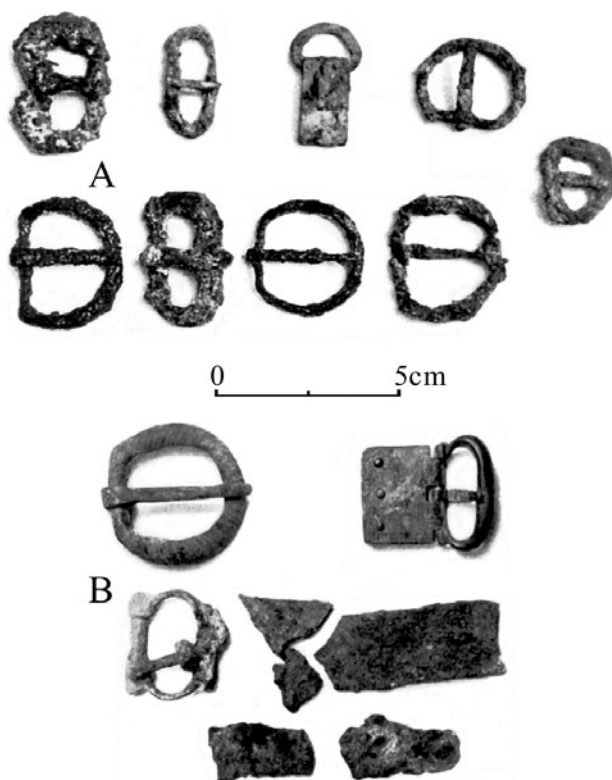


Fig. 34. (A) Iron and (B) copper-alloy alloy buckles from Guildown. Objects shown half size. (After Lowther 1931, pl. 16. Reproduced by kind permission of the Surrey Archaeological Society)

where the inclusion of quantities of charcoal in the grave additionally marks these interments out from their neighbours. It has been suggested that the inclusion of charcoal in later Anglo-Saxon burials might be intended to serve as a warning to gravediggers of the presence of an interment (Daniell 1997, 158–9). The notable depth and the presence of charcoal in execution burials, however, suggest increased suspicion of the deceased and a concern for later disturbance of the burial. The orientation of a large number of the Guildown burials west–east is of interest, although it seems as if the marked ‘row’ of interments on the western side of the cemetery was laid out with respect to a now-lost feature, perhaps a path or a fence marking out a square area (Semple 1998) around the suggested barrow over Grave 139. Although the report is well laid out, with attention to detail, there are no instances where sex can be ascribed to a numbered corpse. Sir Arthur Keith, in a letter to Lowther, stated that women and children were represented in the bone assemblage, but he was referring to the remains from the entire cemetery, which included the underlying Early Anglo-Saxon bodies (Lowther 1931, 46). These latter might be expected to account for the majority of the unknown number of women and children, although both should be expected in small numbers on the basis of the sex ratios and few finds of children at other execution cemeteries. It is unfortunate that the Guildown execution burials were not subject to detailed scrutiny, as they comprise the largest sample known to date. A remarkable feature of the Guildown burials is the high frequency of multiple, particularly triple, burials, and these are discussed below.

Table 19. Summary of burial practices at Guildown

Characteristics	Occurrences	%
Prone burials	5 (out of 164)	3
Tied hands	45 (out of 93)	48
Decapitations	5 (out of 133)	4
Multiple burials	79 (out of 163)	48
Females	0	0

Notes There is no documentary evidence to suggest executions at Guildown. The quantity of execution burials is far greater than at any other site, although South Acre bears comparison, with 136 burials recorded; the limit of burials was probably established at South Acre in contrast to the situation at Guildown. Varying orientations coupled with seemingly changing influences in the factors determining alignment indicate that the site was active for an extended period of time. Without further dating evidence from the execution burials, however, it is not possible to establish the chronology more closely than between the latest use of the underlying pagan cemetery and the date of 1043 provided

by the coin from Burial 173, itself the latest of an intercutting sequence of execution burials.

Hog's Back (Fig. 35)

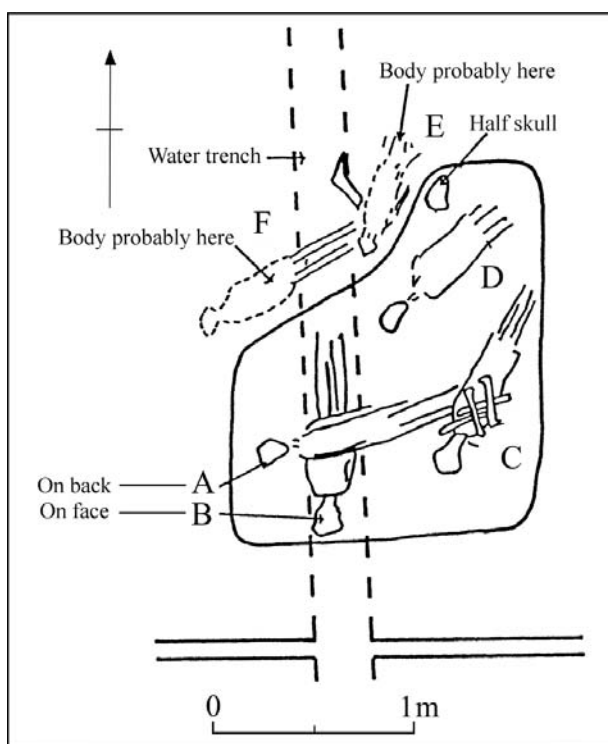


Fig. 35. Plan of execution burials at Hog's Back. (After English and Dyer 1999, fig. 1. Reproduced with the permission of Judie English)

Location The Hog's Back burials were discovered by workmen in 1935 during road-widening, and subsequently excavated by Major A. G. Wade. The exact location of the cemetery is unknown, although a contemporary press report records that it lay 'near the old boundary of the manors of Farnham and Warnborough' (*Surrey and Hants News*, 24 May 1935). Recent reassessment of previously unpublished information (English and Dyer 1999) places the site not only close to the aforementioned boundary, but also very close to, or actually at, the meeting point of the boundaries of the hundreds of Farnham, Godalming, and Woking. The locality is topographically very prominent at about 145m above OD, and is adjacent to the major highway that runs along the chalk ridge and which links Guildford with Farnham, and ultimately Winchester. No associated earthworks are known.

Dating There is no dating evidence from the 1935 excavations. The location and character of the site are strongly suggestive of an Anglo-Saxon execution cemetery.

Burials At least six burials were recognized, although not all of these were excavated, for reasons unknown. Neither the age nor sex of any of the individuals is known. The contemporary report implies a mass burial, although the published sketch-plan argues against this view, based on the spacing between the burials and their varied orientation. One of the burials, recorded as Burial A in the primary account, lay above and at a right angles to a prone burial, labelled Burial B. Burial A had the head to the west, while Burial B lay with the head to the south. The sketch shows a third burial overlying the feet of Burial A, head to the south-west, apparently with its upper arms tightly folded across the chest. Three other burials to the north apparently had the heads to the south-west. The depth of one of the burials is recorded as 0.75m; the depth of the others is not stated but is likely to be comparable. The limit of the site is clearly not established.

Notes The Hog's Back cemetery, although badly recorded, fulfils several of the criteria necessary for consideration as an execution cemetery, in particular its boundary and roadside location and the presence of a prone burial.

SUSSEX

Burpham

Location The site comprises a substantial roughly elongated mound at a height of 50m OD, facing west and south with a view over the Arun Valley. The mound lies on chalk downland within the hundred of Poling, some 500m east of the boundary with the hundred of Binsted. The Burghal Hidage fort at Burpham lies 2km to the south. The barrow was excavated by H. C. Collyer in two episodes in 1893, and there are varying accounts of the discovery that have been summarized and clarified by Meaney and Welch (Meaney 1964, 253; Welch 1983, 490–2).

Dating There is no record of finds besides a few unidentified scraps of iron, although the mound was apparently thoroughly dug over, judging by its appearance. In the absence of a primary interment, it can be proposed that the mound was deliberately constructed for the purposes of an execution site, and parallels may be sought at Crosshill, Stockbridge Down, and elsewhere. The evidence from Burpham, however, is of a very poor quality, and the site is considered to belong to the class of Anglo-Saxon execution cemeteries on

the basis of comparison with the well-dated sites. A degree of uncertainty must remain with regard to secure identification, but the apparently all-male composition of the group, the use of a mound, and proximity to a principal boundary give grounds for confidence.

Burials The mound contained thirteen individuals, all supposedly male, but no obvious primary interment. The initial account describes four skeletons, one of which was partial and close to the surface of the mound (1), and another three buried at a depth of 1.2m, of which one was covered with large flints (2) (Lovett 1893–4, 82–3). The remaining ten burials were discovered later and reported to be disposed in shallow trenches without individual grave cuts (Curwen and Curwen 1922, 11–12). One must question whether grave cuts would have been recognized by the excavators, but the shallow depth of the burials probably best accounts for the absence of clearly defined graves. The burials were aligned south–north, and there is no suggestion of odd body positioning besides the three burials from the initial discovery found lying on their left sides. There is no plan of the excavation, and although it is possible that multiple burials are represented, the lack of records limits further discussion; accordingly no summary table is included for the Burpham burials.

Notes There is no documentary evidence for executions at the site.

Malling Hill

Location The execution site at Malling Hill is located on a substantial lynchet on chalk downland at a height of 50m above OD, on the east side of the valley of the River Ouse, within the hundred of South Malling but adjacent to its boundary with the hundred of Swanborough, their common boundary being the divide between the Rapes of Lewes to the west and Pevensey to the east. The boundary also delimited the great Malling estate held by the archbishop of Canterbury, certainly by 1018 if not earlier (Jones 1979, fig. 2.3; Welch 1983, 275–6). The possibility exists, however, that an estate of the same name in Kent represents the *Mallingum* referred to in three contemporary copies of a charter of 838 (S1438; Brooks 1984, 137). The execution burials were discovered in 1973 during excavations by the Lewes Archaeological Group under the direction of Richard Lewis. Recent excavations have revealed further human remains, although these remain to be fully analysed and published.

Dating A C14 determination from an unspecified burial provided the following date: AD 970–1150 (95 per cent confidence) (see Table 23 below).

There is no laboratory certificate for the date, which minutes of the Sussex Archaeological Society record as being obtained from Harwell (M. Allen, pers. comm. 1995).

Burials The primary record is confused, but at least thirteen burials are mentioned, one of which was buried prone with the hands tied behind the back. The burials were found shallowly buried and in close proximity to each other. The full extent of the site was evidently not established, judging by the more recent discoveries, and details of the sex and age composition of the group are not yet available as the 1973 and more recent excavations are currently being prepared for publication (Allen and McKinley forthcoming; G. Chuter, pers. comm. 2006). Although a number of corpses had the hands tied behind the back, the exact figure is not known, and no details are available with regard to the positions of the skulls. Accordingly no summary table of the characteristics of the burials is provided.

Notes The Malling Hill burials clearly constitute an execution site, although the poor standard of recording is to be regretted. The site is one of seven with radiocarbon dating.

WILTSHIRE

Bokerley Dyke (Fig. 36)

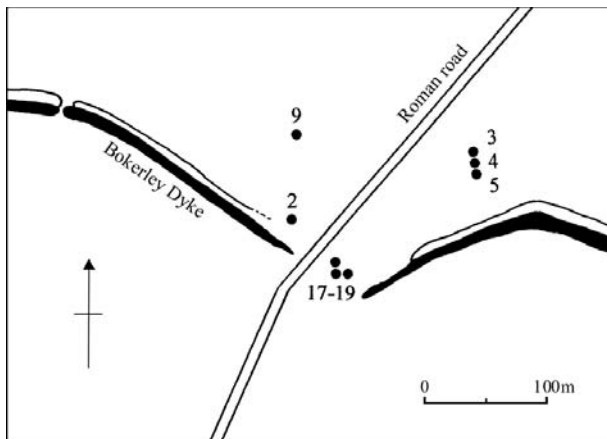


Fig. 36. Plan of the execution site at Bokerley Dyke (Wiltshire), showing execution burials 2–5, 9 and 17–19. (Redrawn after Pitt Rivers 1892, pl. 162 with additions)

Location Bokerley Dyke is a substantial linear earthwork that formed part of the county boundary between Wiltshire and Dorset in the Late

Anglo-Saxon period. Execution burials were found at the north-western end of the earthwork where it is bisected by the major Roman road from Old Sarum to Dorchester. The site is intervisible with the execution cemetery at Wor Barrow to the south-west, and lies at a height of 80m above OD on chalk downland. The burials were excavated by Lt.-Gen. Pitt Rivers between 1888 and 1891 (Pitt Rivers 1892), and were found in three separate locations. Skeleton 2 was found isolated and on the north-west side of the Roman road. Skeletons 3, 4, and 5 lay behind the dyke to the north-east of Skeleton 2, but also on the north-west side of the road. Skeleton 9 lay in a shallow ditch 50m to the north of Skeleton 2, while Skeletons 17, 18, and 19 were interred on the south-east side of the break in the earthwork where the road passes through.

Dating There is no dating evidence for the Bokerley burials, beyond the fact that the majority lay in ditches that had become partially infilled with Roman material. The peculiar body position of Skeleton 5, with the left leg flexed as if hopping, can be compared to that exhibited by Roche Court Down 18, and the general character of the burials has no satisfactory context apart from comparisons with execution burials. In summary, boundary location and their association with a substantial linear earthwork (cf. Bran Ditch, Roche Court Down, and Wallingford) provide the strongest indications that the burials are those of deviants.

Burials Eight burials are suggested to be those of executed wrongdoers. Burials 17 and 18 were interred together, and with 19 form a group sited upon the earthwork itself at a prominent location. The remainder were buried in the various ditches that characterize the landscape in the immediate environs of the dyke itself. The burials lay at varying depths, from 0.3m to 1.82m, although the original depths of the burials is difficult to judge as the field in which the earthworks lay had been ploughed ‘for many years’ (ibid. 205). The varied orientation of the corpses is accounted for by the alignment of the features in which they lay. None of the burials is considered to relate to the Roman settlement to the north, as a clearly defined cemetery plot of Roman date lay close by and almost certainly served the site (ibid., plan facing p. 70).

Table 20. Summary of deviant burial practices at Bokerley Dyke

Characteristic	Occurrences	%
Prone burials	0	0
Tied hands	0	0
Decapitations	0	0
Multiple burials	2 (out of 7)	29
Females	1 (out of 8)	13

Notes The Bokerley burials present problems of interpretation. There are no documentary references to suggest executions at the site.

Old Sarum

Location The execution site was focused upon a barrow 650m south of Old Sarum, although the exact site can no longer be identified. Location on the boundary between the hundreds of Underditch and Alderbury is likely, given that the said boundary lies a similar distance to the south of Old Sarum. The site lay in view of the Roman road from Old Sarum to Winchester as well as the former town. The geology is chalk, with an approximate elevation of 80m above OD. The already damaged barrow was completely levelled by a 'Mr Arthur Tucker and some friends' in 1894, and details were supplied to H. P. Blackmore of the Salisbury Field Club who published a short account (Blackmore 1894). The burials were found variously disposed about the surface of the mound.

Dating Artefact evidence is limited to two copper-alloy buckles found with two of the bodies, which are no longer extant. Otherwise, the site is cross-dated by comparison to the well-dated sites.

Burials Fourteen burials were found, the majority male and aged between 40 and 50; two skulls were pronounced to be those of young persons aged from 20 to 24 years. The burials were variously oriented, showing no particular preference, and all were less than three feet from the surface, while all fourteen had the hands tied behind the back. No further deviant characteristics are exhibited by the burials, and so a summary table is omitted.

Notes Despite limited recording and summary publication, the Old Sarum burials fit comfortably within the general scheme of classification for execution cemeteries. The apparent lack of a primary interment might indicate a purpose-built mound, or, perhaps more likely, non-recognition of a cut feature beneath the mound.

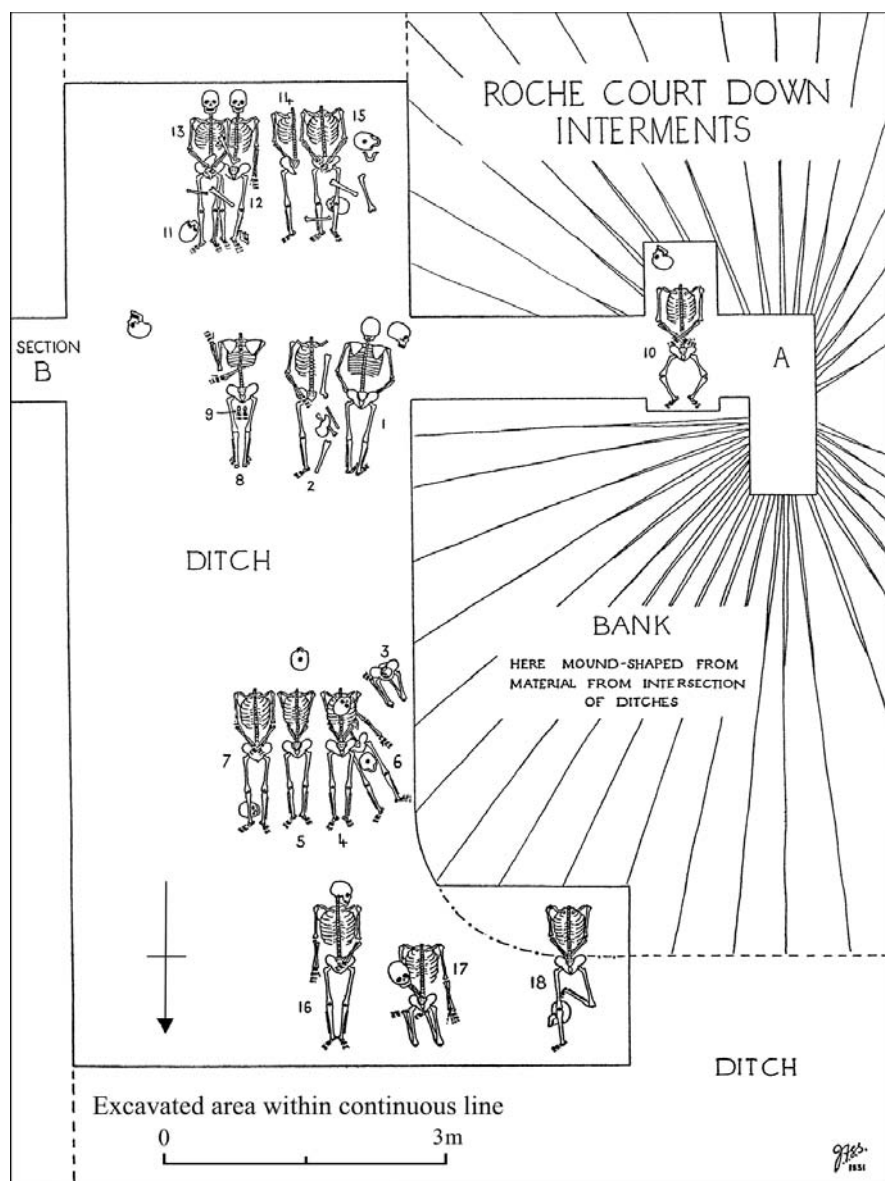
Roche Court Down (Fig. 37)

Fig. 37. Plan of the execution cemetery at Roche Court Down. (After Stone 1932, pl. 1. Reproduced with the permission of the Wiltshire Archaeological and Natural History Society)

Location The Roche Court Down execution burials were sited upon an eminence along a linear earthwork immediately adjacent to the county boundary with Hampshire, but just within the Wiltshire hundred of Alderbury. The site also lies close to the boundary of Alderbury Hundred with that of Amesbury, and probably served both judicial territories. The geology is chalk downland, with an elevation of 135m OD and a commanding view over the surrounding landscape, including the Winchester-to-Old Sarum highway immediately to the south. The site was excavated by J. F. S. Stone in 1930 and published shortly afterwards (Stone 1932).

Dating Dating of the Roche Court Down execution cemetery relies wholly upon cross-comparison with the well-dated sites. No artefacts were associated with the burials.

Burials A total of eighteen burials were found, at an average depth of 0.7m, in the ditch of the linear earthwork. The burials were probably shallower than this when first made, with the increased depth due to continued silting of the ditch. Orientation of the burials is clearly determined by the alignment of the earthwork. Stone notes that a layer of heavy flints had been placed or thrown onto each corpse (*ibid.* 572). The excavation report is clearly laid out, with a clear if diagrammatic plan.

Table 21. Summary of deviant burial practices at Roche Court Down

Characteristic	Occurrences	%
Prone burials	2 (out of 16)	13
Tied hands	8 (out of 14)	57
Decapitations	11 (out of 16)	69
Multiple burials	7 (out of 15)	47
Females	1 (out of 17)	6

Notes There is no documentary evidence to suggest that executions took place at the site.

YORKSHIRE EAST RIDING

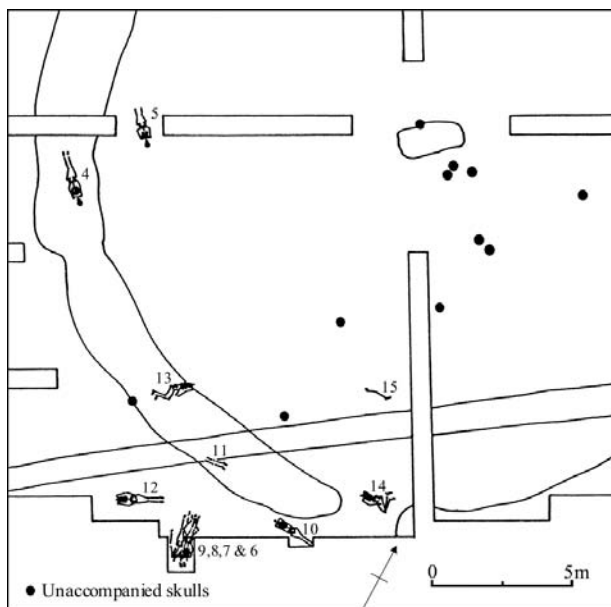
Walkington Wold (Fig. 38)

Fig. 38. Plan of the execution cemetery at Walkington Wold. (After Bartlett and Mackey 1972, fig. 9. Copyright East Riding Archaeological Society)

Location The execution site at Walkington Wold lies within the hundred of Welton, immediately adjacent to its boundary with the hundred of Cave to the west. The site comprised two Bronze Age round barrows on chalk downland, at a height of 130m OD. The location affords extensive views to the north, south, and east, and is intervisible with a routeway linking Beverley with York. The site was excavated by J. E. Bartlett and R. W. Mackey between 1967 and 1969 on behalf of the East Riding Archaeological Society, and the execution burials were found cut into the southern part of Barrow 1 (Bartlett and Mackey 1972).

Dating The sequence of activity at Walkington Wold Barrow 1 is remarkable, in that the mound was apparently the site of a Roman temple before serving as a place of execution in the Anglo-Saxon period: an interpretation based on the finding of 726 Roman coins across the mound. The execution burials represent the penultimate phase of activity at the site, bracketed by two archaeological horizons. The burials post-date the cessation of Roman ritual activity in the late fourth century, but were made before the destruction of the mound which appears to have taken place prior to the later medieval period on the basis that there is no pottery of that date in the destruction levels of the mound (ibid. 26).

Recently obtained C14 determinations confirm a Mid- to Late Anglo-Saxon date: Skeleton 6 returned a date of AD 770–970 (OxA-12716), Skeleton 8 a date of AD 640–770 (OxA 10826), and Skeleton 9 a date of AD 900–1040 (OxA-12717), all at 95 per cent probability (see Table 23 below) (Buckberry and Hadley 2007).

Burials A total of twelve post-cranial burials were recorded, two of which bore skeletal indications of decapitation, one from the front, although it is likely that all but two of the others met the same end. The excavators saw the two corpses with their heads as positively Late Roman, but there is no good reason to view them as anything other than part of the executed group. Where noted, the burials were shallow with varied orientations showing no particular preference. The report is well ordered and, although the plan is less than clear, one instance of possible tied hands may be suggested. Thirteen skulls were found buried separately from corpses over the body of the mound, several with attached mandibles and several without, the latter indicating display; three crania exhibited clear signs of decapitation (*ibid.* 315; see ‘Decapitation’ below).

Table 22. Summary of deviant burial practices at Walkington Wold

Characteristic	Occurrences	%
Prone burials	0	0
Tied hands	1 (out of 11)	9
Decapitations	11 (out of 13)	85
Multiple burials	3 (out of 12)	25
Females	0	0

Notes The site is the northernmost yet identified, but conforms to the general pattern of discovery of execution burials on chalk downland. It is of interest that the substantial field investigations of barrows undertaken by J. R. Mortimer in East Yorkshire in the late nineteenth century did not reveal a single execution cemetery (Mortimer 1905). The pre-Danelaw date provided by the C14 determination indicates that the Walkington Wold sequence pre-dates the Scandinavian incursion. A detailed reappraisal of the site has been undertaken by Jo Buckberry and Dawn Hadley (2007), where the full complexities of the skeletal assemblage are discussed. The territorial and topographical context of this early execution cemetery are discussed elsewhere (Reynolds 2008).

A COMPARATIVE APPROACH: THE CHARACTER OF ANGLO-SAXON EXECUTION CEMETERIES

With a clear view of the nature of execution cemeteries to work from, this chapter now considers the range of characteristics exhibited in the cemeteries

in a comparative and synthetic way. The distribution of sites is considered, followed by a discussion of dating margins, siting in a landscape context, and the nature of cemetery organization. The chapter then moves on to consider in depth the nature of individual burial rites, including evidence for grave elaboration and the range of objects found with execution burials. All details relating to individual burial types are taken from Appendix 3.

The distribution of execution cemeteries

The majority of the sites so far identified were discovered during the excavation of more obvious features, and all represent unexpected discoveries. The sites are found almost exclusively in southern and eastern England, with one outlier at Walkington Wold (Fig. 39), with nineteen out of the twenty-seven located on chalk downland, a landscape greatly favoured by antiquarians and archaeologists to the present day. Although this view explains the concentration



Fig. 39. Distribution of excavated execution cemeteries in England: 1 Dunstable, 2 Galley Hill, 3 Abingdon, 4 Castle Hill, 5 Bran Ditch, 6 Chesterton Lane, 7 Wandlebury, 8 Wor Barrow, 9 Meon Hill, 10 Old Dairy Cottage, 11 Stockbridge Down, 12 Staines, 13 South Acre, 14 Crosshill, 15 Wallingford/Crowmarsh, 16 Sutton Hoo, 17 Ashted, 18 Eashing, 19 Gally Hills, 20 Guildown, 21 Hog's Back, 22 Burpham, 23 Malling Hill, 24 Bokerley Dyke, 25 Old Sarum, 26 Roche Court Down, 27 Walkington Wold.

of sites on the Wessex downland and on the North and South Downs, the absence of similar sites in the north is difficult to understand. It is hard to form a view other than that judicial organization in the landscape was genuinely different in the northern English upland areas intensively explored by antiquarians, such as the Derbyshire Peaks and the Yorkshire Wolds by barrow-diggers like Greenwell, Rolleston and Mortimer, without revealing a single possible execution site. Walkington Wold provides the only known example in Yorkshire, and is without doubt of pre-Conquest date as confirmed by a recent radiocarbon determination (see below). Charter evidence suggests a broader distribution across southern England (see Ch. 5), and the present archaeological distribution can only be interpreted in the light of a bias in fieldwork toward downland areas, in southern England at least. Although not the focus of this study, the lack of sites in Wales and south-western Britain is of related interest.

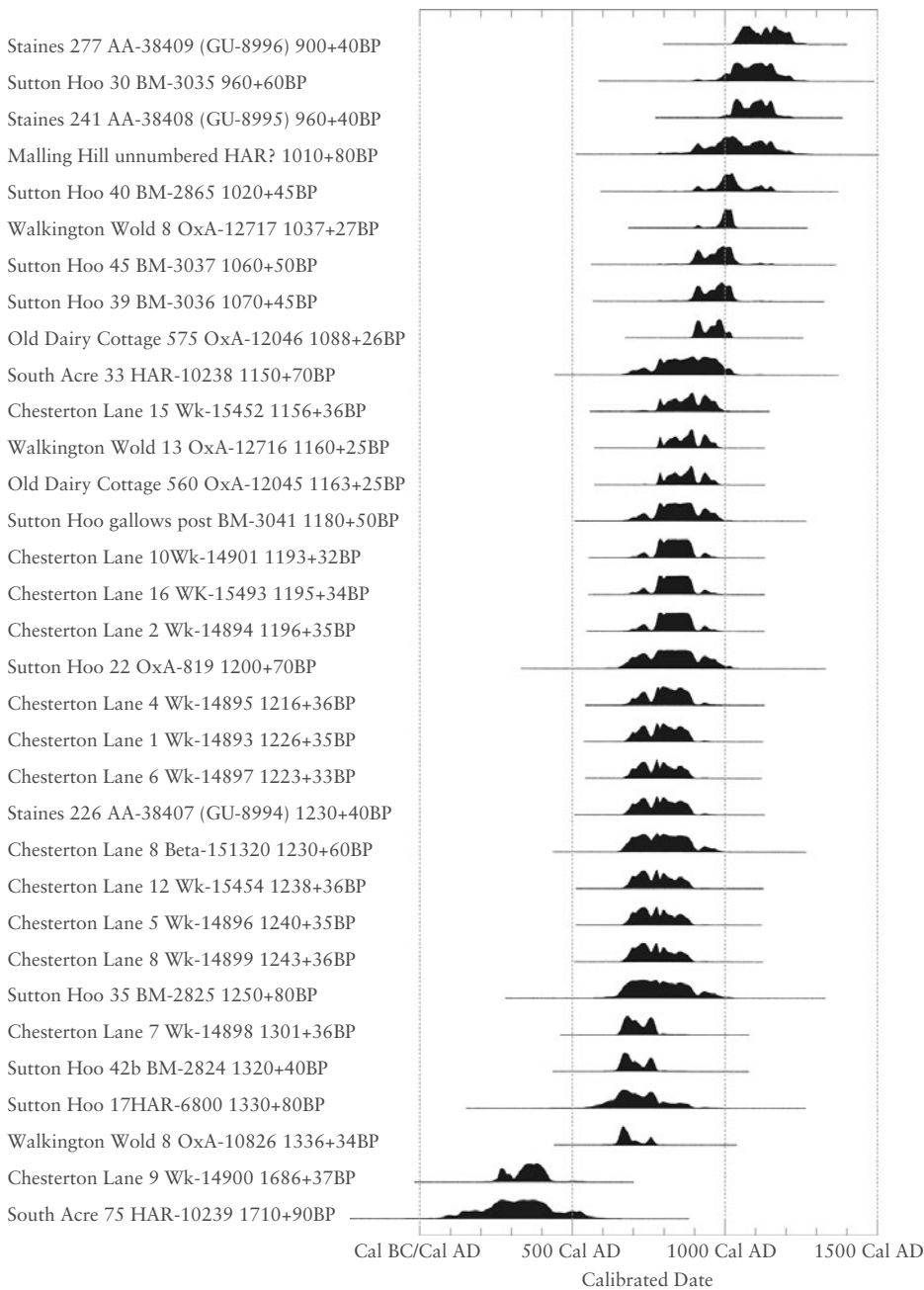
The dating of execution cemeteries

The chronology of execution cemeteries is of the utmost historical importance, in providing a view of the development of judicial activity independent of written sources. The dating framework is supplied both by traditional means on the basis of datable artefacts associated with execution burials and related features, and by a series of radiocarbon determinations. The latter means has only recently been applied to execution cemeteries, and has revolutionized our understanding of their development. Prior to the radiocarbon dating of certain of the Sutton Hoo burials, the chronological horizon of execution cemeteries relied on the few coin-dated graves, from Guildown, Meon Hill, and Stockbridge Down, all of which contained silver pennies of Edward the Confessor spanning the length of his reign (1042–66) (see ‘Finds from execution cemeteries’ below). A Late Anglo-Saxon date appeared to concur with the increasing volume of legal prescriptions from the reign of Alfred to support a view of flourishing judicial activity from that time. Radiocarbon dating has extended the known period of use of execution cemeteries at either end of the range, most significantly in terms of their origins.

Of the twenty-seven cemeteries, seven have yielded nineteen radiocarbon dates (Table 23). All of the dates presented in Table 23 have been recalibrated by Dr Jane Siddell, who adds the following notes:

Radiocarbon dates are quoted in accordance with the international standard known as the Trondheim convention (Stuiver and Kra 1986). They are given as conventional radiocarbon ages (Stuiver and Polach 1977). All radiocarbon dates in this book have been calibrated using OxCal v3.10 (Bronk Ramsey 1995, 1998, 2001, <http://rlaha.ox.ac.uk/>), using the calibration curve of Reimer *et al.* (2004). The calibrated date ranges cited in the text are those for 95% confidence. They are quoted in the form recommended by Mook (1986), with the end points rounded outwards to 5 years where the error on the determination is ± 25 or less, or to 10 years when the error

Table 23. Radiocarbon determinations from execution cemeteries



is greater than this. There is enough evidence from these dates, to suggest, cautiously, that the practice is starting in the seventh century AD. Although some of the dates with smaller errors occur in the eighth and ninth centuries AD, there are good measurements from the seventh century—for instance, London Road Staines, Sutton Hoo, Walkington Wold and Chesterton Lane. There are reasonable grounds for suggesting that execution sites first occurred in the seventh century AD.

Individual dates have already been discussed above, but a short consideration of their range is necessary. The earliest dates are those from South Acre Skeleton 75 that centres on *c.*AD 300 and Chesterton Lane Burial 9 which centres on *c.*AD 350. These two dates lie outside the range of the others, and while the South Acre date might be regarded as spurious, the stratigraphic position of the Chesterton Lane burial supports a Late Roman date. Otherwise, determinations from Chesterton Lane, Staines, Sutton Hoo, and Walkington Wold indicate a start date for the use of these sites in the second half of the seventh to early eighth centuries, as does the exceptional sequence of stratification at Chesterton Lane. Dates from Chesterton Lane, Old Dairy Cottage, Staines, South Acre, and Sutton Hoo span the ninth-century range, while determinations from Malling Hill, Old Dairy Cottage, Staines, South Acre, and Sutton Hoo reinforce the traditional view of use of such sites in the tenth and eleventh centuries. Staines and Sutton Hoo both provided dates that indicate usage into the twelfth century. Overall, the series indicates that the origins of execution cemeteries are to be found at the very earliest from the second half of the seventh century and certainly from the eighth century, and that their usage continued into the twelfth century. The social and historical implications of the results are discussed in Chapter 6.

Situation and topography

Several features in particular are evident with regard to the location of execution cemeteries. With the exception of Abingdon and Ashted, and possibly Stockbridge Down and Meon Hill, all of the cemeteries can be seen to be located upon or adjacent to the boundaries of counties, hundreds, or boroughs (Table 24). A further striking feature is the high degree of either close physical proximity to or visibility from major routes of communication, both by water and by road.

Table 24. Associations between execution sites and boundaries

Site	Boundary association
Dunstable	county and hundred
Galley Hill	county and hundred
Abingdon	none
Castle Hill	hundred
Bran Ditch	county and hundred

Table 24. Continued

Chesterton Lane	hundred
Wandlebury	hundred
Wor Barrow	hundred
Meon Hill	estate/?hundred
Old Dairy Cottage	hundred
Stockbridge Down	estate/?hundred
Staines	estate/borough
South Acre	hundred
Crosshill	county and hundred
Wallingford	none
Sutton Hoo	hundred
Ashted	estate
Eashing	estate/borough
Gally Hills	hundred
Guildown	hundred
Hog's Back	hundred
Burpham	hundred
Malling Hill	rape and hundred
Bokerley Dyke	county and hundred
Old Sarum	hundred/?borough
Roche Court Down	county and hundred
Walkington Wold	hundred

Furthermore, there is an equally striking relationship to mounds, bearing in mind that these may be deliberate contemporary constructions at certain sites such as Crosshill and Stockbridge Down. Twelve sites are associated with mounds, eight are located upon linear earthworks, three are at hillforts, while the existence of earlier features is not proven at four sites (Table 25).

Table 25. Associations between execution sites and earthworks

Site	Monument	Origin
Dunstable	mound	pre-existing
Galley Hill	mound	pre-existing
Abingdon	none	—
Castle Hill	hillfort	pre-existing
Bran Ditch	linear bank and ditch	pre-existing
Chesterton Lane	bank and ditch	contemporary
Wandlebury	hillfort	pre-existing
Wor Barrow	mound	pre-existing
Meon Hill	hillfort	pre-existing
Old Dairy Cottage	ditch	pre-existing
Stockbridge Down	mound	?contemporary
Staines	ditches	pre-existing
South Acre	mound	?contemporary
Crosshill	mound	?contemporary
Wallingford	linear bank and ditch	pre-existing
Sutton Hoo	mound	contemporary
Ashted	none	—

Table 25. Continued

Eashing	none	—
Gally Hills	mound	pre-existing
Guildown	mound?	pre-existing
Hog's Back	none	—
Burpham	mound	?contemporary
Malling Hill	bank/lynchet	pre-existing
Bokerley Dyke	linear bank and ditch	pre-existing
Old Sarum	mound	?contemporary
Roche Court Down	linear bank and ditch	pre-existing
Walkington Wold	mound	pre-existing

At Guildown the presence of a mound is not certain but probable, whilst at Ashtead insufficient evidence is available to discount the former presence of such a feature. In purely practical terms, the location of cemeteries can be explained by the desire for maximum visibility. Ideological concepts involving superstition and Christian imagery, however, may also provide explanations, especially in view of the fact that four cemeteries (Ashtead, Gally Hills (Surrey), Guildown, and Sutton Hoo) lie in direct association with pre-Christian Anglo-Saxon cemeteries, and two others (Crosshill and Roche Court Down) lie in close proximity. These latter aspects are considered in Chapter 6.

Internal arrangement

Internal arrangement of execution sites and cemeteries is largely a function of local topographical factors. The alignment of burials within the ditches of hillforts and linear earthworks is determined by the course of the given earthwork, as at Meon Hill, Roche Court Down, Bran Ditch, and Bokerley Dyke. With regard to cemeteries where burials are made with explicit reference to barrows, there is a tendency for the interments to cluster on the southern and eastern sides of the mound in question, as at Dunstable and South Acre, although it would be unwise to read too much into this observation given the partial nature of excavation of the majority of cemeteries. Orientation at sites unrestricted by topography (i.e. cemeteries in close proximity, but not placed directly upon barrows and sites without any apparent relationship to earthworks) is more random, with no obvious preferences relating to mode of execution, burial position, or sex. The overall figures for orientations from execution cemeteries are thus shown in Table 26.

Table 26. Burial orientation at execution cemeteries

Orientation	No. of burials	% of total
W-E	196	25
S-N	127	16

Table 26. Continued

SW–NE	96	12
N–S	66	8
NW–SE	55	7
SE–NW	32	4
E–W	22	3
NE–SW	15	2
SSE–NNW	6	1
NNE–SSW	1	—
ESE–WNW	1	—
WNW–ESE	1	—
None recorded	179	22

As Sam Lucy, more recently among others and using an expanded dataset, has shown, grave orientation increased from about one-third of bodies with the head to the west to about one-half between the fifth to sixth and seventh centuries (Lucy 2000*a*, 130). One of the most significant aspects of this observation is, of course, that west–east alignment is not a feature unique to Christian burial, a factor borne out yet further by the data from execution cemeteries of the Christian period where such an orientation can be seen to predominate, albeit within a broad range. Lucy notes various distinctions within individual cemetery populations, sometimes based on sex and age, and concludes that local traditions, in combination with ‘a sense of what was appropriate for the person being buried’, determined such variation (*ibid.* 132). Although broad, this view seems to accord with the variation encountered in execution cemeteries, with one-quarter of burials taking a west–east alignment followed by one-third with a tendency for the heads to lie in a southerly direction and just under one-fifth with the heads in a northerly direction. The second most common alignment among the execution burials is south–north, accounting for about one-sixth of the total. While west–east orientation may not be exclusively Christian, south–north may be interpreted as a conscious act to align the corpse in a non-Christian way. Interpreting the figures is complicated by sites where topography has determined burial orientation, yet there are good grounds for accepting a degree of conscious alignment of burials at other sites without such constraints.

Evidence for gallows has been recorded at four sites: Stockbridge Down, South Acre, Sutton Hoo, and Ashted. In all four cases, gallows comprising two or more posts are indicated (Fig. 40). An eighteenth-century illustration of the gallows at Kennington (Surrey), for example, shows a three-post structure, but this was preceded by a two-post construction (Wright 1997, map 3, bottom left, and map 2, left). The use of trees should also be taken into account, although references to trees are rare in documentary sources (see Ch. 5), and purpose-built gallows appear to have been the norm. A factor worthy of note is that in no instance has evidence been recorded for an Anglo-Saxon gallows

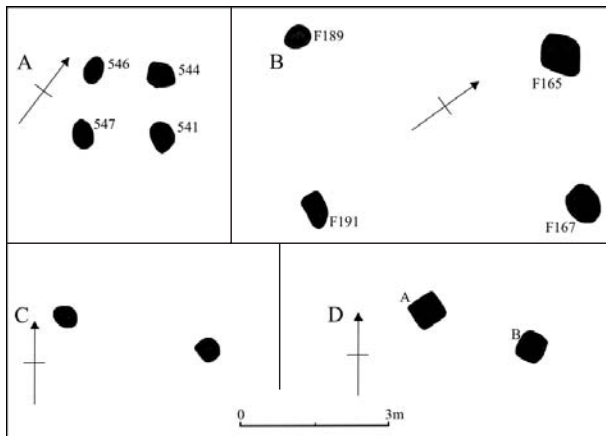


Fig. 40. Comparative plans of gallows settings from (A) Ashtead, (B) Sutton Hoo, (C) South Acre and (D) Stockbridge Down. (Redrawn after Hayman 1991-2, fig. 2; Carver 2005, 331, fig. 148; Wymer 1996, fig. 43; Hill 1937, pl. 3)

positioned on top of a mound. Potentially single-post settings were indeed recorded at Gally Hills (Surrey) and at Crosshill, although in both cases these features are arguably later than the execution burials. At South Acre, Sutton Hoo, and Stockbridge Down the gallows settings lay away from the barrows at each of these sites, which brings into question the function or motivation for the location of execution sites at pre-existing monuments; an issue considered in Chapter 6.

The nature of interment at execution cemeteries

Hypotheses relating the investment of labour in burial deposits to status are relatively straightforward until the later Anglo-Saxon deviant burials are considered. Binford has emphasized structures such as barrows, whilst other approaches have concentrated on scoring grave finds and examining their variety (Binford 1972; Tainter 1975; O'Shea 1981). The identification of deviant burials, however, is predominantly based upon a consideration of body positioning. Convicted offenders were consigned to the very lowest social strata, but certain burials display investment of labour beyond their status, according to traditional schemes. Among these are stoned, trussed, or bound corpses, burials with dress fittings, and those placed in the deeper graves (see.g. 'Prone burial' below). Although deviant burials are generally shallow and interred without ceremony, the process of execution and the location of execution cemeteries on the boundaries of territories indicate that the disposal of wrongdoers frequently required a greater overall expenditure of time and labour than the burials of 'normal' individuals. In general terms, the majority of graves at execution cemeteries are recorded as 'shallow' or, where measured depths are provided, as being in the region of 0.15–0.2m in depth. There are several cemeteries

where increased average depths are apparent, for example, Eashing, Guildown, Roche Court Down, and Sutton Hoo among others, although overall depths rarely exceed 0.5m; but deep graves of 1–2m in depth are known.

Prone burial Prone burials from formal execution sites of the later Anglo-Saxon period provide a clear illustration that such interments had a negative connotation. In view of Wilson's statement quoted in Chapter 3 ('Prone burial'), it is remarkable that a claim can be made that there is no evidence to support the thesis that prone burial denotes the interment of an outcast. Other writers, when considering prone burial, have not made reference to the later Anglo-Saxon evidence, which, although subject to a significant amount of misinterpretation, is evident enough in the literature to warrant serious consideration. Furthermore, the material from execution cemeteries, particularly those with seventh- or eighth-century origins, overlaps with the latest of the Early Anglo-Saxon examples, in contrast to the archaeological and literary parallels quoted in comparative discussions, most notably those by Hirst (1985) and Wilson (1992).

At least fifty-one examples are known from seventeen sites with an even distribution (Fig. 41; App. 3.1), although the figure is likely to be higher due to poor recording of certain of the excavations. Details about the sex of individuals is recorded in thirty-one cases, although doubts are expressed about sexing of four individuals from South Acre (17, 71, 79, 95), two from Sutton Hoo (42a, 43), and one from Ashted (S11). Of the sexed examples, including those where doubts are expressed, twenty-two are male and nine are female: sexing is in doubt with regard to five of the females and two males. Features other than the prone position of the corpse mark certain burials out from their neighbours at each site. Twenty-two corpses have the hands tied, with fifteen behind the back, five to the front, with one doubtful example from Sutton Hoo (25) and a further instance there where the position of the hands could not be accurately established (19). Meon Hill (4) exhibited flexion of the hands, and there was a large boulder placed across the back. At Sutton Hoo (25) may have had the ankles tied, whereas (48) had the right arm detached. At Staines (S277) had the ankles tied and had been decapitated, while two further prone burials there (S452 and S454) had also been decapitated. At Guildown (167) and (168) had suffered mutilation. In the former case the legs had been cut off at the knees, and in the latter the pelvic bones exhibited holes suggesting either stab-wounds while the corpse was suspended or perhaps that the body had been spiked to a post. A juvenile aged about 12 from Chesterton Lane had the hands tied above the head and had, potentially, also been suspended prior to burial; the legs were also tightly flexed at the knees, suggesting that the lower limbs may have been trussed up.

As mentioned earlier, in the Christian period offences involving superstition, witchcraft, and sorcery are likely motivators for prone burial, and explain the



Fig. 41. Distribution of execution cemeteries with prone burials: 1 Dunstable, 2 Galley Hill, 3 Castle Hill, 4 Chesterton Lane, 5 Wandlebury, 6 Meon Hill, 7 Old Dairy Cottage, 8 Stockbridge Down, 9 Staines, 10 South Acre, 11 Sutton Hoo, 12 Ashted, 13 Eashing, 14 Guildown, 15 Hog's Back, 16 Malling Hill, 17 Roche Court Down.

greater effort sometimes evident in such burials beyond the aspect of the corpse itself. The laws show concern for such offences, from the laws of Wihtred (12 and 13), issued *c.*695, to those of Cnut (II Cnut 4 and 5.1), issued probably sometime after 1027 (Attenborough 1922, 3; Robertson 1925, 138). The role of the prone aspect, however, is likely to represent a continuation of earlier pre-Christian practice designed to safely lay the corpses of the 'powerful' dead. At Stockbridge Down, Burials 34 and 39 were by far the deepest graves at the site; at Guildown, Burials 152 and 159 (Fig. 42) were among the deeper graves, as was Burial 1 at Roche Court Down. At Castle Hill, the female (F3) had the hands tied to the front and was the deepest of the four interments there.

Bodies lying on the side Bodies lying on the side are recorded from ten sites, with an even distribution (App. 3.2). At least thirty-one examples are known. The sex of eighteen individuals is established, with fifteen males and three females, although there are doubts concerning sex at South Acre (18, 101, 114, 126) and Sutton Hoo (27). It is of interest, but unknown

Fig. 42. Prone burial 159 with the hands tied behind the back from Guildown. (After Lowther 1931, pl. 22. Reproduced by kind permission of the Surrey Archaeological Society)



significance, that females are only found lying on the left side; perhaps there is a connection with handedness? The 10-year-old child from Staines (S431) was buried lying on its right side. There are only two instances of tied hands: Sutton Hoo (18), where the hands are possibly tied to the front, and Guildown (148), where they were tied behind the back. The presence of a coffin for the Sutton Hoo burial and the amputated and badly healed toes of Bokerley Dyke (4) perhaps indicate that in certain circumstances those who were precluded burial in consecrated ground for non-capital offences could be interred lying on one side.

In the majority of instances, however, the aspect of the corpse is most likely due to unceremonious placing of corpses into graves. South Acre (125) and Sutton Hoo (40) both appear to have had the legs or ankles tied, whereas the body itself of Sutton Hoo (36) seems to have been bound. Guildown (36) had the right leg dislocated and the fibula of Old Dairy Cottage (577) was 'bent'. There is a noticeable concern with the legs in these examples, and it might be possible to suggest a link with theft where the loss of feet could result as a punishment (Ine 18 and 37; II Cnut 30.4). Two further treatments of burials on the side deserve comment. Burpham (2) had large flints placed over the corpse, but most remarkable is Sutton Hoo (27), the so-called 'ploughman'. The wooden objects found disposed about the corpse are now thought more likely to be parts of 'a hurdle, gibbet or some other instrument of execution' (Carver 2005, 322).

Bodies bent over forwards or backwards Corpses found bent over forwards or backwards are clear indicators of unceremonious burial. Ten examples, six of the former type and four of the latter, are known from five sites (Fig. 43; App. 3.3), with six proposed males and one female identified, although the details of sex are tentative in the case of examples from Sutton Hoo and South Acre; the three unsexed individuals are all from Sutton Hoo. Burial 39 from Sutton Hoo was the only burial of this category with the possibility of tied hands, but Burial 65 from South Acre may have had the legs tied. Corpses bent over forwards or backwards are probably best seen as the burials of individuals killed whilst kneeling in their graves, either by strangulation or by decapitation as exhibited by Burial 17 from Roche Court Down. Burial 38 at Sutton Hoo may have been trussed, pushed backwards into the grave, and ?buried alive, whilst Burial 55 had an arm severed. Such body positioning may be indicative of a mode of execution specifically for those whose corpses were not to be displayed, with execution and burial being rapidly successive events.

Tied hands As noted above, tied hands provide circumstantial evidence that an individual was hanged. Organic materials seem to have been almost exclusively



Fig. 43. Burial 65 in bent over backwards position at South Acre. Scale 20 cm. (After Wymer 1996, pl. 19. Copyright Norfolk Historic Environment (NMASS))

used for restraint of wrongdoers, with the Winchester shackles representing the only metal finds (Fig. 3). Out of a total of 157 instances, 102 burials had the hands tied behind the back (Fig. 44; App. 3.4, 3.5 and 3.6); in forty-two cases they were tied to the front and in twelve cases tied hands are recorded but not specified, with the exception of Chesterton Lane (6), noted above, whose hands were tied above the head. Examples are known from seventeen cemeteries. With the exception of the prone female F3 from Castle Hill, all those with the hands tied to the front are male, with only three females exhibiting tied hands behind the back (Dunstable 22 and 40; Galley Hill (Bedfordshire) 12).

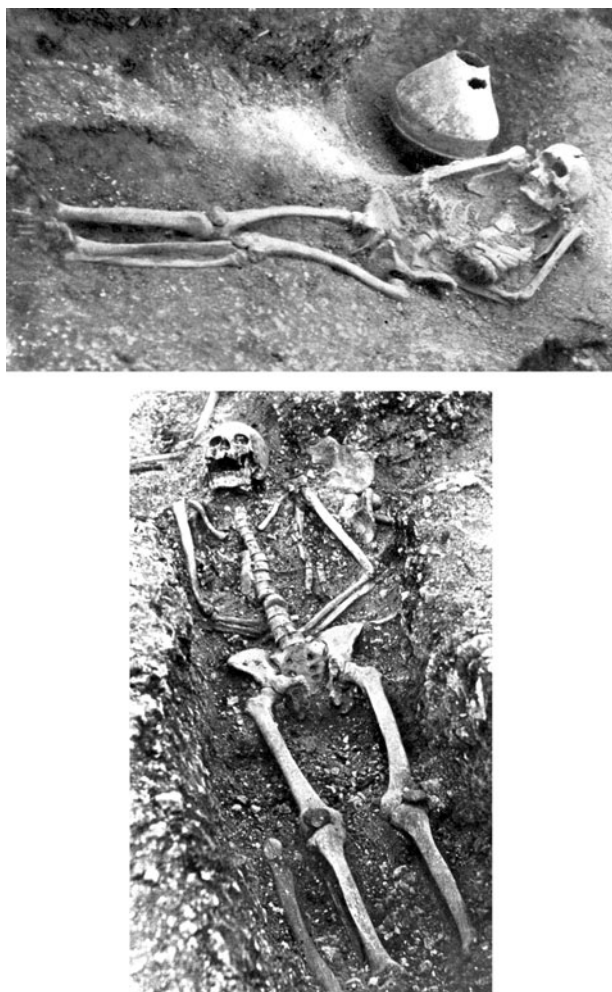


Fig. 44. Skeleton 1 from Dunstable (upper) and Skeleton 27 from Stockbridge Down (lower) showing hands tied behind the back. (After Dunning and Wheeler 1931, pl. 3A and Hill 1937, pl. 9. Reproduced by permission of the Royal Archaeological Institute and the Hampshire Field Club and Archaeological Society)

The female Burial 23 from South Acre had the hands tied in an unspecified way. Burial 49 from Sutton Hoo was found with an organic collar, and this find supports the interpretation of tied hands as an indication of hanging. Other treatments exhibited by those with tied hands include twenty-two prone burials, eighteen decapitations (see 'Decapitation' below), and four graves with possible charcoal deposits (Guildown Graves 115, 117–19). Amputations are known from Graves 167 and 169 at Guildown, that had tied hands behind the back and unspecified respectively.

Flexion of the hands Flexion of the hands due to traumatic death has been recognized in only five cases. At Bran Ditch, Burial 7 has the hands clasping the neck (trapped under a noose?); Burial 4 at Meon Hill had a large boulder on the back; and of the two burials exhibiting flexion of the hands at Gally Hills (Surrey), one had the lower left arm broken. Burial 23 at Roche Court Down provides the fifth example, and in this instance the skull had been smashed and was minus the mandible. The circumstances of four out of the five more than adequately explain the flexion, although further examples have probably escaped notice—especially from antiquarian excavations. During the most recent excavations at Ashted, special attention was paid to the investigation of the hands of execution victims. It was found, however, that disturbance and missing bones had resulted in the loss of most of the evidence, although even the undisturbed graves there revealed no examples (Hayman 1991, 5). Details of sex were available in four cases and all were male. Apart from Bran Ditch Burial 7, all had the hands tied behind the back.

Tied legs Ten possible examples of tied legs are recorded: four each from South Acre and Sutton Hoo and two from Staines (App. 3.7). In seven cases the sex was male, although doubts surround South Acre (65); the sex could not be established for the remaining corpses. The hands were tied to the front in two possible instances (Staines S366 and Sutton Hoo 25—both prone burials), but the position of the hands could only be established in six out of the ten cases. Burial (S277) from Staines was decapitated, although the position of the head of South Acre (38) is not known. It might be possible to suggest that individuals with tied legs were suspended upside down. Of interest here is a depiction in the Harley Psalter (fo. 19r) of an inverted crucifixion. It is difficult otherwise to explain why the hands are usually not also tied. Such suspension may well have occurred after death by hanging, which may have resulted in untying of the hands. Ström has made reference to the fact that Jews were hanged upside down (Ström 1942, 128, n. 123), a practice which is well documented in the later middle ages in south Germany and Austria, sometimes with dogs hanged with the human victim, the motive apparently being to dispatch the individual to 'the realm of the non-human' (Merback 1999, 188–9). Although Jews did not settle in England until after the Norman Conquest (Poole 1955, 353), their presence

as visiting merchants in later Anglo-Saxon England is probable, and there exists the possibility that corpses found with tied legs represent convicted visitors.

Decapitation Fourteen sites with a broad distribution have produced ninety-nine possible instances of decapitation (Figs. 45–8; App. 3.8). Of these at least eighty-five can be confidently said to have been decapitated. There are doubts about the unnatural skull positions of twelve individuals from South Acre and one from Wor Barrow. In common with Early Anglo-Saxon examples, for purposes of identification there are three principal characteristics of decapitation. First are those bodies found with the head in an unnatural position; second are those bodies whose skulls and/or cervical vertebrae display cut-marks; and third are the bodies whose skulls are either missing or placed at the neck but rotated to the extent where detachment from the neck prior to burial is suggested. Combinations of these features are found in some cases, but the quality of the evidence is varied. In many cases detailed pathological data are not available, and the poor quality of recording and observation of



Fig. 45. Distribution of execution cemeteries with decapitations: 1 Dunstable, 2 Bran Ditch, 3 Chesterton Lane, 4 Wor Barrow, 5 Meon Hill, 6 Old Dairy Cottage, 7 Stockbridge Down, 8 Staines, 9 South Acre, 10 Sutton Hoo, 11 Ashted, 12 Guildown, 13 Roche Court Down, 14 Walkington Wold.

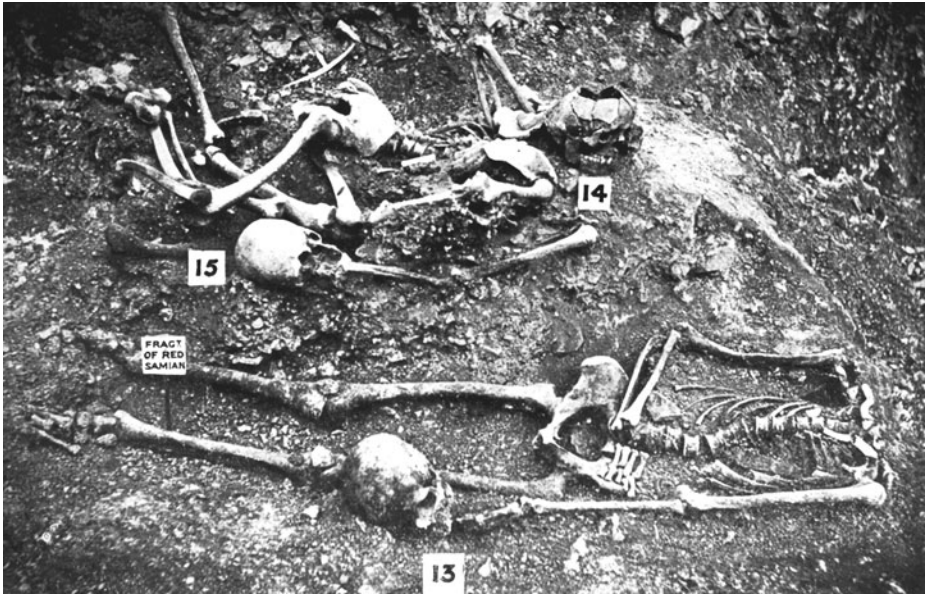


Fig. 46. Decapitated skeletons 13 and 15 and Skeleton 14 at Wor Barrow. (After Pitt Rivers 1898, pl. 254, 2)

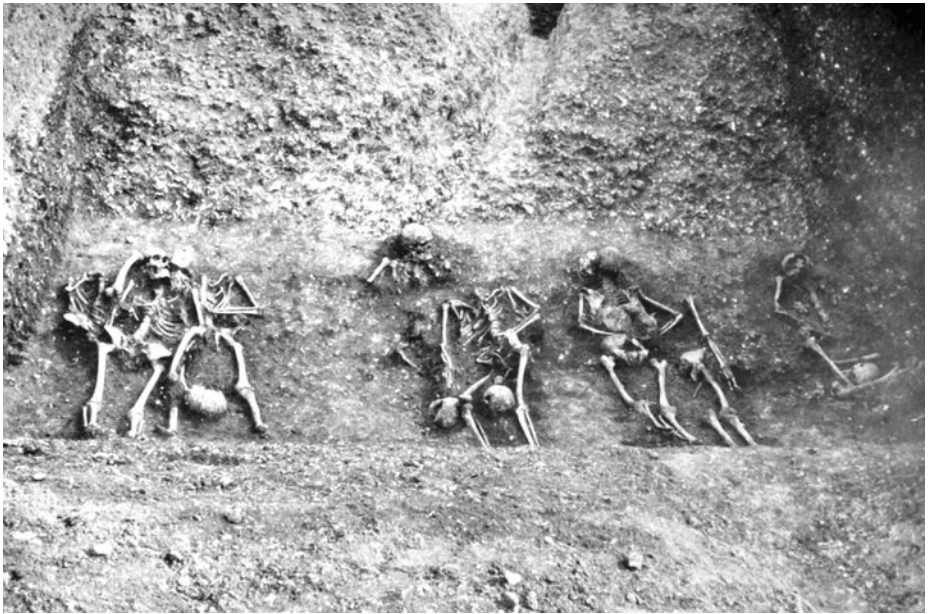


Fig. 47. South facing view of execution burials at Meon Hill. Note the position of skulls. (After Liddell 1933, pl 5. Reproduced by permission of the Hampshire Field Club and Archaeological Society)

Fig. 48. Decapitated skeleton 19 buried with decapitated dog at Stockbridge Down. (After Hill 1937, pl. 6. Reproduced by permission of the Hampshire Field Club and Archaeological Society)



antiquarian enquiries often takes no account of information regarding possible animal disturbances or other post-depositional destructive agencies.

Overall, fourteen individuals had the head rotated by the neck, thirty-four corpses were minus their heads, and in thirty-three cases the head was interred with the body but apart from the neck area. With the latter examples the area of the legs was favoured for the deposition of the head, but with no clear preference for any particular place. There are seven corpses with skulls disposed about the upper legs; four on the left side, three on the right, and two between the thighs. There are sixteen bodies with the skull by the knees; three beside the left knee, one beside the right, and three between the knees. Nine bodies have the skull placed below the level of the knees, with eight instances between the knees, and single examples on the left and right sides of the knees. Further recorded positions are at the feet (one), on the right arm (two), and on the chest (one). In four cases the skull was buried in the general vicinity of the corpse.

Instances of tied hands are not common, with ten examples behind the back, seven to the front, and one unspecified. The free limbs exhibited by the remainder of the corpses, where evidence is available, suggest stripping of the bodies prior to burial. There are nine possible females among the decapitations, with five of these from South Acre (see South Acre, 'Notes', above), and in

only three cases is the sex undoubted. In seven cases the females have the heads replaced at the neck, while the two remaining examples have the skulls placed at the feet and on the upper right leg respectively.

Of particular interest with regard to the decapitations are instances of missing skulls, skulls buried later than their associated corpses, and skulls with indications of weathering or damage. It is suggested here that such evidence constitutes the archaeology of the *heafod stoccan* (head stakes) recorded in certain charter bounds (see Ch. 5). As discussed above, the excavated execution burials at Old Dairy Cottage were shown to be coincident with the *heafod stoccan* mentioned in three independent sets of charter bounds. Out of the nine individuals from the site for which details were available, seven had been decapitated. Other sites where archaeological evidence alone indicates the display of skulls include Burial 47 from Bran Ditch and Burial 5 from Roche Court Down, where the decapitated heads were buried without mandibles, indicating their long-term display; Burial 2 from Meon Hill, where the skull was holed through the right temple; and Burial 10 from Roche Court Down, where the skull was buried subsequently to the corpse. At Walkington Wold and Wor Barrow the display of decapitated heads was apparently the norm. At the former site ten out of the twelve skeletons were found wanting their heads, and excavation of the central area of the mound, around which the burials were distributed, revealed seven skulls buried without mandibles and four with mandibles. At Wor Barrow eight out of seventeen bodies were buried without the heads.

As indicated in Chapter 1 ('Punishment'), it appears as though the sword was the favoured instrument for decapitation. Figure 5 shows a block being used by an executioner with a sword and provides significantly earlier evidence for the use of a support for the head than that previously cited for the execution of the duke of Suffolk in 1450 (Daniell 1997, 80). The use of a block was evidently particularly shameful for the victim, owing to parallels with the block used by a butcher or fishmonger (ibid. 81). The motivation to decapitate as a legal punishment is theft in the laws of Edgar and Æthelred (IV Edg 11; III Ath 4.1) and general failure to uphold the law in the laws of Æthelred (I Ath 1.6). In the laws of Cnut a slave found guilty in the ordeal 'shall not be able to make any amends except by his head' (II C 32.1). In contrast to the amputation of other extremities (see 'Mutilation' below) decapitation appears late in the laws.

Coffined burials Burials in coffins from execution cemeteries are limited to a single example from South Acre and three from Sutton Hoo, perhaps because of the exceptional conditions for the recognition of organic materials. The South Acre example (111) was considered to be of Early Bronze Age date, although there is no conclusive evidence to support this hypothesis (Wymer 1996, 88). The Sutton Hoo coffined burials (18), (20), and (34) appear contemporary with

their more gruesome counterparts. Explanations for the presence of apparently carefully buried individuals in execution cemeteries are not hard to find. Those who had died of natural causes but who had earlier been convicted of offences that precluded burial in consecrated ground (cf. II Ath 26) might well be expected to have been interred in execution cemeteries. It could be suggested that relatives would have buried such individuals under the supervision of a royal official, but that careful preparation for burial would have been observed. The burial of suicides may well have occurred under similar circumstances. It seems likely that such burials were made at other execution cemeteries but that the evidence has either not survived or been recorded. The sex of the individuals is unknown in all cases, and the position of the hands is normal in the three instances where the evidence is preserved. Besides the possibility of a small cairn over Burial 20 at Sutton Hoo, there are no other noteworthy features of the coffined burials.

Female burials The identification of female burials from execution cemeteries provides an interesting slant on Anglo-Saxon attitudes towards women. The percentages of women in burial assemblages at execution cemeteries indicates that their presence was rare but persistent. A total of sixty females are recorded from sixteen cemeteries, although varying degrees of confidence surround the sex identifications (App. 3.9). The distribution is broad (Figure 49). By far the largest number are derived from the South Acre cemetery, which accounts for thirty-six examples (although see South Acre, 'Notes'). Nine prone burials are known; four from South Acre, two from Sutton Hoo, and one each from Galley Hill (Bedfordshire), Castle Hill, and Eashing. Eight decapitations are of women and there are four examples of mutilation. It may be significant that in two cases the left arm has been removed (Dunstable 50 and Galley Hill (Bedfordshire) 7). At Dunstable, Burial 22 had the wrists broken whilst at Roche Court Down, Burial 3 was bent over backwards but missing from the waist up. Three out of the four mutilations are clearly concerned with the upper arms, although the numbers involved are too small to draw any significance to this observation. A total of six women have the hands tied, four behind the back, one to the front, and one unspecified (South Acre 23).

There are two instances of double burials of females with males from Galley Hill (Bedfordshire) and four examples of double burial where the sex of the other individual is not known. Triple burials comprising women with two men are known from Galley Hill (Bedfordshire) and South Acre, and of two women and a man from Sutton Hoo. Sexual deviancy, such as adultery, incest and same-sex relationships could be suggested as possible explanations for such burial deposits, although legal decrees only exist with regard to adultery (II C 53), where the nose and ears were to be removed, and the breaking of the vow of celibacy taken by those in holy orders, where burial



Fig. 49. Distribution of execution cemeteries with female burials: 1 Dunstable, 2 Galley Hill, 3 Castle Hill, 4 Bran Ditch, 5 Chesterton Lane, 6 Wandlebury, 7 Meon Hill, 8 Old Dairy Cottage, 9 Staines, 10 South Acre, 11 Sutton Hoo, 12 Ashted, 13 Eashing, 14 Bokerley Dyke, 15 Roche Court Down.

in consecrated ground was to be forfeited (I Edm 1). The Late Anglo-Saxon laws differentiate between the mode of execution of female and male slaves for theft. Women were to be burnt, whereas men were to be stoned (IV Ath 6.5 and 6.7). The same code prescribes drowning for free women, a punishment known to have been enacted between 963 × 75 upon the widow of Ailsworth (Northamptonshire), for witchcraft (S 1377) (see Ch. 1, 'Punishment'). One commentator has suggested that the Ailsworth widow was lynched as opposed to formally executed (Davies 1989, 50), but this interpretation appears to accept that the extant laws represent a comprehensive record of legal practice.

In conclusion, it seems that archaeologically the range of treatments applied to women was largely the same as that applied to males. The written legal evidence records drowning and burning as specific punishments for women, and it is possible that they are under-represented in the populations of execution cemeteries. It may indeed be the case that burning and drowning were carried out at locations separate from execution cemeteries as discussed in this chapter; the widow of Ailsworth springs to mind again (see Ch. 5). In post-medieval and early modern England authorities prescribed specific modes for the execution

of women, including burning of the corpse instead of disembowelling (Gatrell 1994, 264); the nature of such distinctions can be suggested to have Anglo-Saxon origins on the basis of written sources.

The burial of animals in execution cemeteries The remains of animals are known from four burials from three execution cemeteries. At Old Dairy Cottage, Burial 565 comprised a decapitated male buried with four neonatal lambs placed across the knees; at Stockbridge Down the male Burials 19 (decapitated) and 37 contained a decapitated dog and a sheep's head respectively; while at Sutton Hoo the unsexed inhumation from Grave 55 was buried immediately adjacent to the burial of a cow; contemporaneity appears likely. Several explanations may be proposed. Illegal coursing with the aid of a hunting-dog might explain the Stockbridge Down find, while the association of sheep and cattle with deviant burials might be suggested to denote the rustling of stock. Alternatively, it might be suggested that all such occurrences are the result of convictions for bestiality. The individuals concerned are male, where details are available, and it seems unlikely that the owner of stolen stock would wish to lose a valuable animal for the purposes of marking the burial of a thief. The four lambs with Burial 565 at Old Dairy Cottage could, perhaps, have been thought to have been begotten by the male with which they were buried. The identical mode of execution of man and dog in Grave 19 at Stockbridge is paralleled by late and post-medieval pan-European accounts, where in cases of sodomy both parties were usually put to death by the same means (Evans 1906, 147). Of interest in this context is a reference in the charter bounds of Chalke (Wiltshire) (S582), to the ceorl who was executed sometime before 955 'for þan buccan' ('because of the goat'; see Ch. 5; App. 4, no. 131).

Burials with objects placed over the corpse Twelve instances of corpses with objects placed or thrown over them are known from eight sites (App. 3.10). Their distribution is broad, although a concentration is apparent in south-central Wessex. Details of sex are available in seven cases, and all are male. The position of the hands is known in nine cases, with three examples tied behind the back (Meon Hill 4, Old Dairy Cottage 575/8, and Roche Court Down 5) and the remainder otherwise normal. Three individuals had been decapitated: Roche Court Down 5 and 6, where flints were placed over the skulls, and Old Dairy Cottage 575/8, which lay under a heap of bones. Overall, nine corpses had stones placed or thrown onto them, the exceptions being Old Dairy Cottage 575/8 (see above) and Sutton Hoo 53, which was a prone burial covered with a plank. It may be of significance that a judicial execution victim, with the feet and hands removed, from Lund, Sweden of c.1000 was found covered with a board or plank (Carelli 1993, 9–10).

The motivation to cover a corpse with material other than the soil from the excavation of the grave probably had a superstitious basis similar to that

suggested to explain prone burial and decapitation in pagan Anglo-Saxon cemeteries. Fear of the dead person seems likely, although the grave depths are only noticeably deeper than others at the same site in two cases: Burpham Grave 2, which was 1.2m deep; and Guildown Grave 103, which was 0.8m deep. It seems, however, that the placing of objects over the corpse would have rendered comparable measures unnecessary. Where single stones are apparently thrown onto corpses (Abingdon 1 and 2, Meon Hill 4, and Crosshill A), more personal retributive processes provide possible explanations.

Burials with evidence of injury Mutilated corpses display a range of characteristics, from evidence of single blows to the body to dismemberment. Thirty-seven cases of injury other than decapitation are known from fourteen cemeteries with a wide distribution (App. 3.11). Details of sex are available in fifteen cases, of which eleven are male (the female examples having been discussed above). Mutilated bodies can be broadly divided into three types: corpses separated into two halves at the waist, presumably rotted; corpses displaying formulaic or prescribed mutilation, for example, removal of the hands for theft; and bodies with signs of non-specific injury such as broken limbs. Corpses of which only the upper or lower half survives are known in ten cases. Seven examples of corpses separated at the waist are from Bran Ditch (9), (13), (30), (33), (46), (50), and (51), with further examples from Burpham (1), Roche Court Down (3), and Crosshill (B).

Removal of arms is recorded at Dunstable (50), Galley Hill, Bedfordshire (7), Sutton Hoo (48) and (55), and Guildown (169); the last mentioned also had the head and legs cut off. Amputation of the legs or feet is known in six cases. In four instances, Wor Barrow (6), Guildown (167) and (169), and Roche Court Down (9), the amputation has taken place at or below the knees, while the remainder comprise the finding of a complete right leg at (Walkington Wold 15) and the chopped-off but healed toes of Bokerley Dyke (4). Non-specific injuries include broken limbs (Dunstable 22; Gally Hills (Surrey) 1, and Guildown 170), indiscriminate blows to the head and face (Bran Ditch 17 and 55iv, Guildown 189, and Roche Court Down 4 and 5), and blows to the body (Bran Ditch 54iii and Walkington Wold 12).

Formal amputation of hands and feet is prescribed in various laws relating to theft (I 18 and 37; Alf 6; II C 30.4) and, from the reign of Æthelstan, for minting false coin (II As 14.1; IV Ath 5.3; II C 8.1 and 8.2). The laws of Cnut prescribe loss of the hands for swearing a false oath and wounding (II C 36 and 48.1). The motivation to remove the feet may well be similar to that related in an early fifteenth-century Breton sermon that describes how a baker who had recently died returned to torment his family (Schmitt 1998, 147–8). Neighbours of the terrified family dug up his body and broke his legs in order to successfully render the corpse safe for the living. Ultimately, however, it is impossible to determine which of the instances of mutilation recorded

were conclusively judicial, although those where the amputated extremities in question were placed in the grave are strongly suggestive.

Double burials Forty-one double burials are known from eleven sites, with a broad distribution (App. 3.12). There are two instances of vertical double burials from Galley Hill, Bedfordshire (Burials 1/2 and 23/24), and one from Staines (Burials S215/S440), but the remainder are all of horizontal type. Details of the sex of both individuals are recorded in fourteen cases. There are five instances of females in double burials; two are with males, the others were interred with individuals of unknown sex. There are twelve examples of double male burials. Burials 562a and b at Old Dairy Cottage were of a man with the hands tied behind the back and a baby.

Prone burials are rare but include Burial 6, interred with Burial 5, from Stockbridge Down; double burial (32/33) from Sutton Hoo; Roche Court Down (8) (interred with Burial 1); and Burial (S452) from Staines, buried with (S451). Tied hands are common, with a total of seventeen examples, but are rarely exhibited by both individuals in the same grave. Instances of the latter are recorded from Dunstable (three cases) and Guildown (one case). Decapitations are recorded at Wor Barrow, where all four double burials contained decapitated corpses; Old Dairy Cottage, where the former individuals from double burials (562a/b) and (565/577) were so treated; South Acre, Burial (112) (interred with 113); Sutton Hoo, Burials (23) and (24) (interred together); Guildown, Burial (90) (interred with 91); and Roche Court Down Burials (2/8) and (12/13). Injuries from double burials are limited to two examples: Wor Barrow (5), interred with (6), had the feet cut off below the knees, while Burial (577) from Old Dairy Cottage, interred with (565), had a 'bent' right fibula.

At the very least double burials indicate contemporary display, but potentially execution, possibly with a relationship between the individuals with regard to the offence committed. It could be suggested that double burials, where identical treatments are apparent, are most likely to represent those jointly convicted, although such an interpretation is impossible to prove. The burial of a man and child from Old Dairy Cottage is strongly suggestive of a relationship between the two beyond double interment, but the factors behind the burial are elusive. It is possible to suggest sexual deviancy where mixed- or same-sex double burials are found. At Staines in particular, the focus of double burials, apparently over an extended period, at the same spot indicates the distinctive nature of such interments, at least at that cemetery (Fig. 50) (Hayman and Reynolds 2005, 238).

Triple burials Triple burials (Figs. 51 and 52) are comparable to double burials in the respect that they imply contemporary display or perhaps execution. There are a total of twenty-three triple burials recorded from nine sites, with a broad distribution (App. 3.13). The triple burials show a greater tendency toward

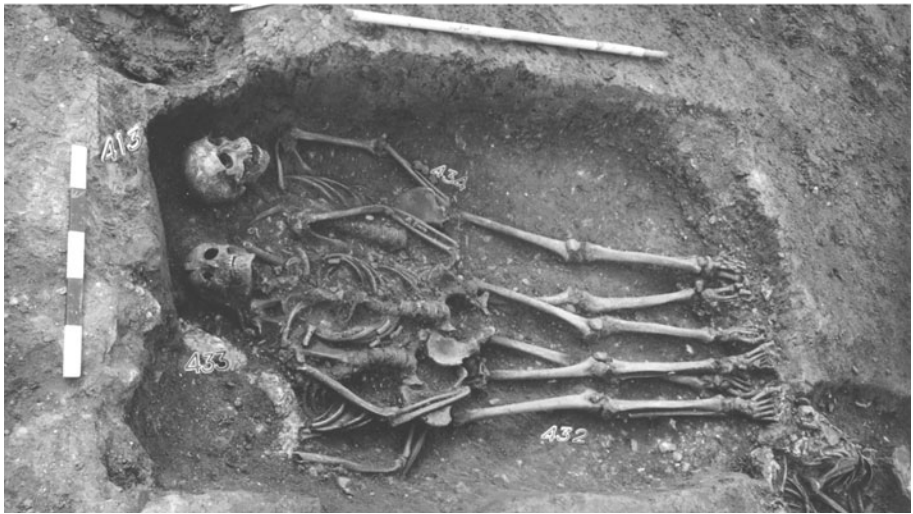


Fig. 50. Double burial S441/S442 (upper) and triple burial S432/S433/S434 (lower) from Staines. Note the entwined position of the double interment and the placing of the hands of the central corpse in the triple grave. (After Hayman and Reynolds 2005, pls 7 and 8. Reproduced by permission of the Royal Archaeological Institute and the Surrey County Archaeological Unit)

consistent treatment than the double burials, with seven examples where all three individuals have the hands tied. Burial (167/168/169) at Guildown is remarkable in that all three individuals had been mutilated; two of the corpses were buried prone, and similar graves, in terms of body positioning, are known from Sutton Hoo (Burials 42a and b and 43) and Galley Hill (Bedfordshire) (Burials 12, 13, and 14). Instances of females are discussed above.



Fig. 51. Triple burial 173, 174 and 175 (from left) cutting triple burial 170, 171 and 172 from Guildown. (After Lowther 1931, pl. 23. Reproduced by kind permission of the Surrey Archaeological Society)



Fig. 52. Triple burial 62, 63 and 64 from South Acre. Scale = 50 cm. (After Wymer 1996 pl. 24. Copyright Norfolk Historic Environment (NMA))

Multiple burials (above three) Two sites, Dunstable and Guildown, have produced graves containing more than three individuals. At both sites, two graves contained four individuals and one contained five. No females are recorded. A single prone and decapitated burial is known from Dunstable (Burial 17, interred with 18, 19, 20, and 21). The hands were tied behind the back probably in all cases in one grave at Dunstable (42, 43, 44, and 45) and

in three out of five in a further grave there (Burials 64, 65, 66). Multiple graves containing more than three individuals are uncommon and seem to indicate that the contemporary execution of more than three individuals was an unusual event.

Finds from execution cemeteries

Burials with accompanying artefacts have been recorded from sixteen cemeteries (App. 3.14). These artefacts are broadly consistent and may be used in conjunction with other recognized trends to identify execution burials. In addition to providing dating evidence, the presence of finds provides important information about the treatment of felons before and after execution. It has been noted above (see Bran Ditch) that stripping of corpses is believed to have been carried out at several sites. At Bran Ditch this seems to have occurred after execution, as no instances of tied hands were recorded, although Burial 7 was found with a knife and clip at the waist. At sites such as Roche Court Down, however, no finds were associated with the burials, although four examples of tied hands were noted; this situation might suggest stripping before execution. It is, of course, possible, even likely, that metal dress fittings were not universally worn, in which case no evidence of clothing would survive. In addition, items such as belts and purses could be removed without stripping the corpse.

It is clear in virtually all cases that execution sites were utilized for varying purposes either before or after their use as places of execution and burial. This issue brings into question the validity of dating evidence from certain sites, as residuality is clearly an issue.

D-shaped iron buckles, although only broadly datable, are the commonest finds. This form of buckle has been in use since the Roman period and owes its ubiquity to a wide range of applications (Goodall 1990b, 417). Copper-alloy buckles from execution burials are more varied than the iron examples, and include annular and oval forms as well as D-shaped examples. Kendrick (comments in Hill 1937, 257) considered the Stockbridge Down buckles to be of post-Conquest date, although he had previously assigned a pre-Conquest date to the near-identical material from Meon Hill (comments in Liddell 1933, 154). The copper-alloy buckle found on the forehead of the man from Grave 28 at Stockbridge Down may have been attached to a hat (see e.g. Owen-Crocker 1986, 82). Strap-ends are unknown, although the remains of leather belts have been recognized at three cemeteries. The copper-alloy pin from Burial 6 at Eashing is a unique find from an execution cemetery, yet its presence serves to underscore the lack of formal preparation for burial evident among the burials with associated dress fittings.

The positioning of the hooked tags from Stockbridge Down and Meon Hill sheds little new light on the function of these enigmatic objects, although they were found associated with the right hand in both cases. Excavations at Cathedral Green, Winchester, revealed a pair of triangular-plate hooked

tags situated by the knees of a high-status male burial, and it was suggested that the hooks secured gartering (Hinton 1990, 548–52). As the majority of hooked tags are unassociated or unprovenanced, the Stockbridge Down and Meon Hill finds provide further evidence for the range of positioning displayed by these objects. Graham-Campbell has interpreted the above tags as purse-fasteners (Graham-Campbell and Okasha 1991, 225), although there were no associated coins. Both tags are of copper alloy, the most common medium for such pieces (Farley 1991, 108).

Coins from execution burials at Guildown, Meon Hill, and Stockbridge Down span the reign of Edward the Confessor (1042–66). The individual coins from Guildown and Meon Hill may conceivably have been placed with the corpses after execution, but the Stockbridge Down hoard seems to have been hidden in the armpit by the victim. A further possibility, given the location of the Meon Hill and Guildown coins, just beyond the fingers of the right hand and on the pelvis respectively, might be explicable if the coins were sewn into the hems of garments (Reynolds, forthcoming *b*). The remaining finds comprise Roman coins. Many of these are likely to be residual, although at least the perforated example found on the chest of Burial 22 at Dunstable is seemingly a genuine association.

The size of execution sites and cemeteries can be seen to have no bearing on the quantity of artefacts recovered. It appears as though the presence or absence of objects was determined by the preparation and treatment of victims both pre- and post-mortem. Dunstable, Guildown, Sutton Hoo, and the three Hampshire sites all have a high proportion of finds, and (Sutton Hoo excepted) there is a notable similarity between the assemblages. The objects recorded from Sutton Hoo are largely organic finds, and the soil conditions there have provided an insight into materials associated with execution burials that have, perhaps, not survived elsewhere.

CONCLUSIONS

A distinct class of execution cemeteries can be identified on the basis of geographical location and burial types. The burial evidence is characterized by a lack of concern for internal cemetery organization but by clearly defined modes of execution and specific treatment of corpses which, in certain cases, appear to reflect contemporary punishments prescribed in the law codes. It is likely that among the burials at execution sites is a proportion of individuals precluded from burial in consecrated cemeteries for reasons beyond the judicial process.

In summary, this chapter has shown that deviant burials from execution cemeteries have distinct characteristics and that formal judicial execution cemeteries came into existence during the late seventh or early eighth centuries

in England. Execution sites have distinct characteristics of location: placing on hundred or estate boundaries; the reuse of earthworks, principally barrows; close proximity to route-ways and elevated locations.

The following chapter examines in detail the processes of continuity and change in modes of deviant burial between the fifth and twelfth centuries, focusing particularly on the relationship between burial places, early territorial structures, and the uses of space. The chapter also identifies the contemporary terminology of execution and other deviant burial sites, and the landscape perspective offered by charter bounds.

5

The geography of deviant burial in Anglo-Saxon England

Then, anxious with despair, the judge commanded her, saintly in her purpose, to be killed by slash of the sword... Then she was conducted close to the border of the country and to the place where the cruel-minded people meant in their violent hostility to kill her.

(From the Old English *Life of Juliana*; Bradley 1982, 317)

INTRODUCTION

To the mind of the author of the late eighth- or early ninth-century OE poem *Juliana*, a peripheral location in the landscape was evidently the most appropriate place for the saint's execution to take place. While the ideological motivations for this type of practice are considered in Chapter 6, this chapter considers the extraordinary variety of contexts for burial throughout the Anglo-Saxon period. Following a detailed consideration of the Early Anglo-Saxon background, this chapter examines the landscape context of the various types of Christian-period burials within the framework of the documented historical geography of Domesday Book. Indeed, one of the contentions here is that the Christian period in Anglo-Saxon England bore witness to a wider range of burial locales and individual rites than the pre-Christian period.

We need first to chart the development of geographical markers of status in burial deposits alongside a consideration of the emergence of bounded landscapes of the form manifested by the time of the Domesday Survey of the later eleventh century. Our search must begin in the pre-Christian cemeteries, where treatment and positioning of deviant burials can be shown to foreshadow later developments in the wider landscape.

There are important implications and questions regarding the development of English landscapes and social organization that relate closely to burial geography, not least the origins of the administrative landscape of the middle ages and later, but also regarding fundamental concepts of community and exclusion, status and belief. There has been very little work on these subjects

in an English context, with the majority of social analyses concentrating on status distinctions as reflected in comparative wealth and complexity of burial deposits in the pre-Christian period and, later, on documented social ranks. This chapter attempts to provide a narrative for the development of place and space as status indicators in contrast to traditional approaches based on wealth and assessments of the investment of labour in the burial of the dead.

DEVIANT BURIALS AND THE MICRO-GEOGRAPHY OF EARLY ANGLO-SAXON CEMETERIES

As noted above, the traditional approach to distinguishing status in Early Anglo-Saxon cemeteries has been to compare indications of wealth and complexity in furnished graves, either by basic subjective observation or by more complex schemes, for example, by attributing numerical values to different classes of objects and 'scoring' individual graves, or more recently, by the application of correspondence analysis (Pader 1982; Høilund Nielsen 1995). In Chapter 3 the nature of individual deviant rites in Early Anglo-Saxon cemeteries was examined in detail, but they have lain unexplored with regard to their spatial patterning within individual burial grounds, and what follows attempts such a study based on the most extensively excavated sites. It is a well-known problem in Early Anglo-Saxon archaeology that the limits of furnished cemeteries are rarely identified, yet sufficient sites are known where the limits of the main burial foci are at least partly established. The analysis presented below is split into two parts. In the first instance, general observations based on forty cemeteries containing deviant burials are made, followed by a more detailed examination of deviant burial at six extensively excavated sites, five recently published, one an older excavation.

DEVIANT BURIALS IN FORTY EARLY ANGLO-SAXON CEMETERIES: THE WIDER PICTURE

The placing of deviant burials in Early Anglo-Saxon community cemeteries is examined below, based on an analysis of forty cemeteries, chosen on the basis that they are among the most extensively excavated and published with plans. Table 27 gives the site name and the total of each type of deviant burial found. Spatial analysis of plan forms of Early Anglo-Saxon cemeteries is a fairly blunt and subjective exercise, given that the modern archaeologist's bird's-eye view of the positioning of graves within a cemetery is based on knowledge of the cemetery in its final form. In other words, although chronological distinctions between graves in close proximity can sometimes be made, more often they cannot be distinguished with any degree of certainty. It can be

Table 27. Liminal and included deviant burials from forty Early Anglo-Saxon cemeteries

	Liminal	Included
Abingdon	3p 1d 4s	4s
Alfriston	1d 1s	0
Alton	1a	1d
Appledown	1s	0
Beckford	0	3p
Bidford-on-Avon	0	1d/s
Broughton Lodge	1p 9s	15s
Burwell	0	1p 1d
Caistor-by-Norwich	2p 1d	0
Camerton	3p	1a
Castledyke	6p	2p
Collingbourne Ducis	1p 1s	0
Dover Buckland	1p 2s	0
Droxford	0	1p
Edix Hill	1p	1p
Empingham	8p	0
Great Chesterford	1p	1p
Holywell Row	2p	0
Lechlade	3p 1s	0
Little Eriswell	1d	0
Lyminge	0	1d
Meonstoke	1p	0
Mitcham	4p 5d	2d uncertain
Nassington	2p 1s	0
Norton	3p	4p
Orpington	0	1s
Portway East	1d	0
Prittlewell	1p	0
Sewerby	0	3p 1s
Shudy Camps	1p	0
Snape	1p	0
Spong Hill	0	1s
Swaffham	0	1p
Totternhoe	0	2p 1a
Wakerley	0	1p
Watchfield	0	1p
West Heslerton	9p	3p
Westbury-by-Shenley	0	1p
Westgarth Gardens	1p	1p/a
Winnall II	3d 3s 1a	1a

Notes: a: amputations; d: decapitations; p: prone; s: stoned.

difficult, therefore, to establish whether a grave was always ‘included’ within a burial plot, or was originally dug at the edge of a plot only to be subsumed by later burials. Where burials lie at the edges either of cemeteries as a whole or of clusters of burials, they are presumed liminal and treated as such in the various analyses. By contrast, at certain cemeteries, such as Bidford-on-Avon (Warwickshire), the burials are widely dispersed and thus a degree of open

space around a deviant burial need not make it liminal. At a cemetery such as Castledyke South (Lincolnshire), however, clustering of graves makes it possible to attribute liminal status to graves that lay only a few metres from others yet clearly lie at the edges of their respective plots. These problems aside, the evidence from Early Anglo-Saxon cemeteries reveals interesting patterns that are considered below.

Taking the four deviant burial types together, a total of 150 such burials are known from the forty cemeteries (Table 28). Of these ninety-three (62 per cent) can be described as liminal either to their respective cemeteries as a whole or to family/kin plots. The illustrated examples suffice to show the degree of variation in the corpus (see below).

Dominic Powlesland has commented on the apparently high proportion of prone burials found in northern Anglian cemeteries, noting that twenty-two such burials are known from the three cemeteries of Norton, Sewerby, and West Heslerton (Haughton and Powlesland 1999, 91). His observations, however, like those of most other commentators, are based on the list published by Harman, Molleson, and Price in 1981, which, while useful, is both incomplete and outdated. The new analysis presented in Chapter 3 (see Fig. 8), in combination with the data presented in Table 28, shows that prone burial was far more widespread as a rite in southern and eastern England, where the majority of instances are recorded.

Furthermore, decapitation, stoned burial, and amputation were much more commonly applied as deviant burial rites in the southern and eastern regions than in the north, and thus when these rites are considered together, and the percentages of deviants as a whole among cemetery populations are compared, it can be seen that little distinction between north and south can be made. If anything, several of the southern cemeteries have higher proportions of deviant burials than their northern counterparts. To highlight several southern examples, at Abingdon the figure is 9.8 per cent, at Collingbourne Ducis 6 per cent, at Empingham 5.9 per cent, at Nassington 6.1 per cent, at Totternhoe 6.4 per cent, and at Winnall 16 per cent. These figures make an interesting comparison with overall deviant burial totals from Norton (6 per cent), Sewerby (7 per cent), and West Heslerton (6.5 per cent).

SPATIAL ASPECTS OF DEVIANT BURIAL IN SIX EARLY ANGLO-SAXON CEMETERIES: A CLOSER VIEW

Perhaps the most fruitful approach to a social understanding of the spatial role of deviant burial in Early Anglo-Saxon communities is to look more closely at selected cemeteries, where such burials have been found, that are both extensively excavated, thus providing a meaningful sample of graves,

Table 28. Percentages of deviant burials from forty Early Anglo-Saxon cemeteries

	Prone	Decapitated	Stoned		Amputated Total
Abingdon (122)	2.5	0.8	6.6	0.0	9.8
Alfriston (165)	0.0	0.6	0.6	0	1.2
Alton (49)	0.0	2.0	0.0	2.0	4.0
Appledown (121)	0.0	0.0	0.8	0	0.8
Beckford B (106)	2.8	0.0	0	0	2.8
Bidford-on-Avon (187)	0.0	0.5	0.5	0	0.5
Broughton Lodge (121)	0.8	0.0	19.8	0	20.6
Burwell (127)	0.8	0.8	0	0	1.5
Caistor-by-Norwich (60)	3.3	1.7	0	0	5
Camerton (115)	2.6	0.0	0	0.9	3.4
Castledyke (227)	3.5	0.0	0	0	3.5
Collingbourne Ducis (33)	3.0	0.0	3.0	0	6.0
Dover Buckland (170)	0.6	0.0	1.2	0	1.7
Droxford (41)	2.4	0.0	0	0	2.4
Edix Hill (149)	1.3	0.0	0	0	1.3
Empingham II (135)	6.0	0.0	0	0	5.9
Great Chesterford (167)	1.2	0.0	0	0	1.2
Holywell Row (100)	2.0	0.0	0	0	2.0
Lechlade (219)	1.4	0.0	0.5	0	1.8
Little Eriswell (33)	0.0	3.0	0	0	3.0
Lyminge (44)	0.0	2.3	0	0	2.3
Meonstoke (16)	6.0	0.0	0	0	6.0
Mitcham (238)	1.7	2.9	0	0	4.6
Nassington (49)	0.0	4.0	2.0	0	6.1
Norton (117)	6.0	0.0	0	0	6.0
Orpington (50)	0.0	0.0	2.0	0	2.0
Portway East (69)	0.0	1.4	0	0	1.4
Prittlewell (27)	3.7	0	0	0	3.7
Sewerby (57)	5.3	0	1.8	0	7.0
Shudy Camps (148)	0.7	0	0	0	0.7
Snape (47)	2.1	0	0	0	2.1
Spong Hill (57)	0.0	0	1.8	0	1.8
Swaffham (19)	5.3	0	0	0	5.3
Totternhoe (47)	4.3	0	0	2.1	6.4
Wakerley (85)	1.2	0	0	0	1.2
Watchfield (17)	5.9	0	0	0	5.9
West Heslerton (185)	6.5	0	0	0.5	6.5
Westbury-by-Shenley (7)	14.3	0	0	0	14.3
Westgarth Gardens (65)	3.0	0	0	1.5	3.0
Winnall II (50)	0.0	6.0	6.0	4.0	16

and well excavated and analysed to modern standards. This discussion moves forward from that presented in Chapter 3 to explore deviant burials along two new lines of enquiry, notably location and association. The cemeteries at Abingdon (Oxfordshire), Castledyke South, Barton-on-Humber (Lincolnshire), Empingham (Rutland), Lechlade (Gloucestershire), Norton (Co. Durham), and West Heslerton (North Yorkshire) have relatively high proportions of deviant burials.

Abingdon (Fig. 53)

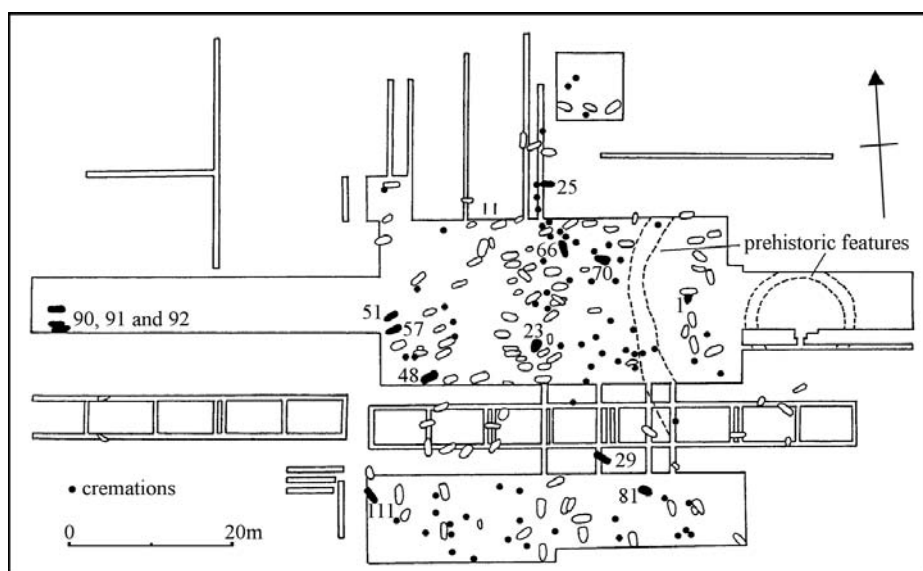


Fig. 53. Plan of the early Anglo-Saxon cemetery at Saxton Road, Abingdon showing the location of deviant burials. (Redrawn after Hawkes 1986, 101, fig. 8)

The Saxton Road cemetery at Abingdon was dug in the 1930s, with 119 inhumation graves recorded alongside eighty-two cremation burials (Leeds and Harden 1936). An extensive area was investigated in advance of house-building by open-area excavation and by digging a network of narrow trenches. As a result, the limit of the cemetery was established on the western side, although there was a group of three inhumations at the westernmost limit of the site separated from the main cemetery by about 30m (see below). The densest concentration of burials lay in the central part of the excavated area, noticeably thinning out to the south and to the east where the cemetery referenced a double-ditched round barrow of Early Bronze Age date. On the northern side the density of burials also gives the impression that the main focus lay in the central part of the area explored. The cemetery appears to have been in use from the earlier fifth through to the early seventh century (Hawkes 1986, 101, fig. 8).

Deviant burial at Abingdon was expressed in various ways, with three prone burials, one decapitation, and eight instances of large stones placed or piled over corpses (App. 2). Of the prone burials all are female, and they constitute 2.5 per cent of the known cemetery population. The woman in Grave 1 was buried without objects and lay below the body of a supine adult male, also without finds. The young woman buried prone in Grave 29 was furnished with iron objects from a chatelaine, an iron bag-ring, an ivory distaff-ring,

and two tinned copper-alloy disc brooches. Her grave was packed with fifty or more large stones, and she represents the only known example of a prone burial treated in such a fashion. The woman was clearly not overly wealthy on the basis of her grave finds, but the presence of a bag of objects in the grave and the extraordinary combination of the prone-burial rite with stones piled over the corpse suggests a high degree of superstition or fear of the deceased, and the burial is potentially that of a so-called 'cunning woman' (Dickinson 1993; Geake 2003). Grave 29 at Abingdon may be compared with other prone or stoned burials of similar type at Lechlade and West Heslerton (see below). The young woman aged 12–13 in Grave 51 was well furnished with two button brooches, a string of beads, two small pots, an unknown number of illegible coins, two perforated flat plates of copper alloy, and two pins, one of copper alloy, one of iron. She was buried face-down, with the left arm twisted up behind the back so that it lay over the back of the neck. Whether the two perforated plates represent *Klapperschmuck* comparable to those hanging from the copper-alloy frames of the walnut amulets from West Heslerton is uncertain, but possible (cf. Haughton and Powlesland 1999, 118).

There is one possible decapitation from the cemetery, the old man buried in Grave 48 with a bucket, shield, spear, and knife. Like many potential decapitations, the published evidence allows for ambiguity, and in this case the skull was observed to be 'detached from the body, one neck vertebra was above the head, another was in front of the face' (Leeds and Harden 1936, 39). Animal disturbance is equally likely to have caused such a disposition of the head and neck.

Stoned burials are relatively common at Abingdon, with eight examples comprising 6.6 per cent of inhumations from the cemetery. We have already considered the woman in Grave 29, yet the only other stoned female burial is the adult woman buried in Grave 66. There are similarities between the women in Graves 29 and 66, not with regard to age but to grave furnishing, as both had a pair of brooches. The woman in Grave 66 had two button brooches, an ivory bead, a copper-alloy pin with perforated head and suspension loop, a perforated illegible coin, a buckle, and a knife; her supine corpse was covered with a heap of large stones. The prone female in Grave 51, noted above, was also buried with a pair of button brooches, coins, and other comparable objects. Two further stoned burials are unsexed as both are of children: one, in Grave 70, an 8-year-old furnished with two disc brooches, a knife, a clip, and a Romano-British copper-alloy bracelet on the left wrist; the other, in Grave 81, an unfurnished child of about 6 or 7. The remaining burials are of males: those in Graves 23 and 57 were unfurnished, while those in Graves 25 and 111 had grave finds. The old man in Grave 25 was accompanied by a spear, knife, and shield as well as a pair of tweezers and an iron buckle, while the adult male in Grave 111 was provided with a spear, knife, and a small pot.

The location of the deviant burials within the cemetery invites comment, as the prone females in Graves 1, 29, and 51 lie in peripheral locations: Grave

1 at the eastern edge of the central cluster of graves, Grave 51 at the western limit, while Grave 29 apparently lies in an area of dispersed burials between clusters to the north and south. The possible decapitation in Grave 48 lay at the south-western limit of the main cluster, although further burials may well lie beyond the excavated area. It is worth noting at this juncture, however, that several sub-plots, probably family- or kin-based, are discernible in the central area, and that Grave 48 lies at the western edge of one of these. The stoned burials in Graves 23, 25, 66, and 70 all lay encapsulated within burial plots, although Graves 57, 81, and 111 all lay in peripheral locations. Furthermore, there is a noteworthy pairing of deviant burials in the case of Graves 51/57, 66/70, and, to a lesser extent, 29/81. Overall, however, the deviants are spread evenly over the cemetery space, indicating a relatively consistent number of unusual interments throughout the various kin groups utilizing the cemetery. Furthermore, burials 90, 91, and 92, an adult male, a young female, and a juvenile of about 13, lay some 30m to the west of the main cluster and were surely buried very consciously at a distance from the rest. Although none displayed deviant characteristics, only the male was equipped, but only with a knife. Further examples of such geographical separation are identified at several of the other sites discussed below. In terms of orientation, the majority of burials in the Abingdon cemetery were interred with heads to the west and, less frequently, to the south. The three prone burials in Graves 1, 29, and 51, however, had the head end of the grave to the south, south-west, and north-east respectively, while the possible decapitation lay with the head to the west. Of the stoned burials, two lay with the heads to the south, two to the south-west, two to the north-west, one to the west, and one to the south-east. No clear pattern emerges, apart perhaps from a tendency to veer away from the two most regular orientations in a significant number of cases, but without a prescribed deviant 'norm'.

Dating of the deviant burials from Abingdon is generally broad, with two of the prone burials and the sole decapitation burial dating to the fifth to sixth centuries, while four of the five datable stoned burials spanned the same possible range. The female weighted down with stones in Grave 66, however, is more closely dated to the sixth century; dates are those attributed by Sonia Hawkes (Hawkes 1986, 101, fig. 8). It is only possible to date the unaccompanied burials, the prone female in Grave 1 and the two adult males and the child weighted down with stones in Graves 23, 57, and 81 respectively, within the chronological margins of the cemetery as a whole.

Castledyke South (Fig. 54)

The cemetery at Castledyke South was excavated between 1975 and 1990, revealing a total of 227 individuals (Drinkall and Foreman 1998). Although the cemetery was only partially excavated, sufficient was dug to gain an impression of the spatial nature of burial at the site. The cemetery was in use from the late

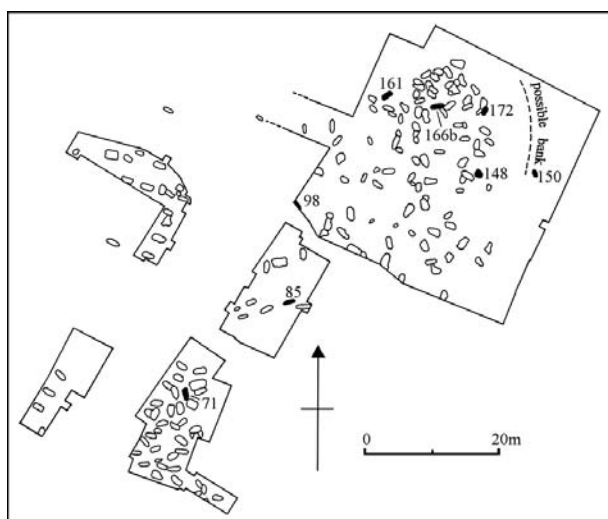
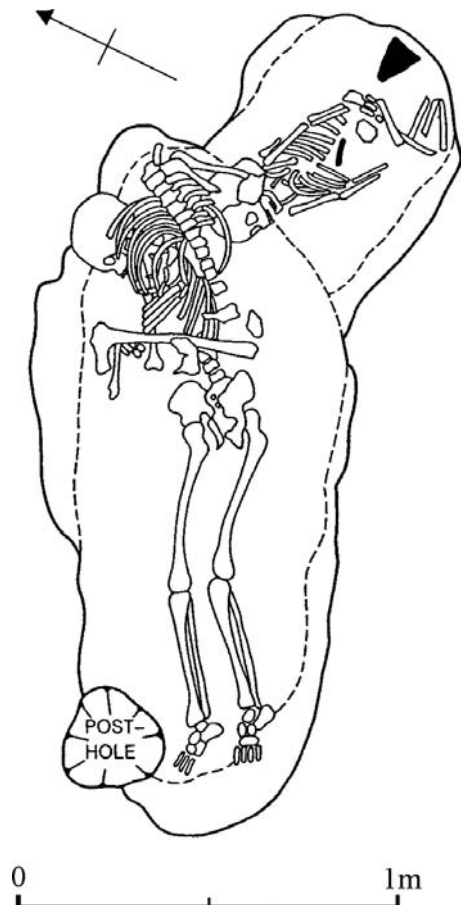


Fig. 54. Plan of the early Anglo-Saxon cemetery at Castledyke, Barton-on-Humber showing the location of deviant burials. (Redrawn after Drinkall and Foreman 2001, 25, fig. 8. Copyright Hambledon Continuum, a Continuum imprint)

fifth or sixth century through to the seventh or perhaps the early eighth century (ibid. 24). Of the eight prone burials from Castledyke South (App. 2), seven individuals were adults, four probably male, two probably female, while the remaining two were of indeterminable sex, being juveniles, one aged 4–5, the other 14–15. Overall, 3.5 per cent of the excavated graves proved to be prone burials. The female in Grave 71 was buried with her legs tightly flexed, while the foot of her grave was marked with a post, as was that of the other prone female in Grave 166, who lay sprawled above the contemporaneous burial of a 15–18-year-old male (Fig. 55); the infamous Sewerby woman (G41) also lay in a grave marked by posts. While none of the prone males was marked in this way, the use of posts at Castledyke shows several interesting patterns. Overall, twenty-three out of the 208 graves were provided with recognized markers in the form of posts or stakes, yet clear associations are evident with graves so treated, and these arguably have a bearing on the social interpretation of female prone burial within this particular community. Of the graves marked by posts, four are associated with very young children (Graves 12, 97, 165, and 185), one a child of 10+ buried with a middle-aged female (Grave 42), eight graves represent burials disturbed by, arguably deliberate, subsequent interments, which in certain cases are themselves marked (Graves 25, 42, 97, 155, 167, 168, 177, and 185), while another (Grave 184) contained reburied charnel representing two individuals. Only a possible four burials were of males: one was of a well-furnished adult male (Grave 6), with evidence of burial ritual in the form of a spread of burnt clay and charcoal on a shelf cut into the bedrock at the head of the grave within a setting of posts (ibid. 35, 99, fig. 12).

Fig. 55. Plan of the remains of disturbed prone female in Grave 166 at Castledyke, placed above a young male. The grave apparently cuts the child burial to the west. Note the posthole for a grave marker. (Redrawn after Drinkall and Foreman 2001, 128, fig. 41. Copyright Hambledon Continuum, a Continuum imprint)



There is a clear association of female graves (twelve out of twenty-three), many of them furnished burials of young women, with markers. Two key themes emerge from these relationships. First, that those locations which were associated with successive burials were deemed worthy, or even necessary, of signalling; and second, that young children, and perhaps women who had died in childbirth, were also marked out, alongside the female prone burials. It could be suggested that the uniting feature here is the link between mother and child and associations with 'ancestors', or simply parents, via the conscious reuse of burial plots. In the same way that neonates in a Christian context are sometimes found buried with their mothers, so a deliberate choice of a parent's grave for the burial of an adult may have striven to achieve a similar relationship in death. Although prone burials should be seen as a strongly negative indicator of the social position of the person so buried, the necessity to mark such burials in order to avoid potentially very negative 'death associations' is likely to have been equally powerful. Interestingly, at Castledyke the stress is on female burials and it is possible that in the majority of cases the underlying

motivation for marking out certain women's graves was unnatural death. In the case of the prone females, they too might have died unnaturally but in circumstances either unknown or that contravened acceptable behaviour and required marking in a distinctive way. Valerie Flint has noted a reference in Alamannic law condemning the bewitching of women by others so that their babies are either stillborn or only live very briefly, while clauses in Salian and Ripuarian Frankish law note that childlessness might result from infidelity (Flint 1991, 236). Perhaps similar reactions to certain women in Early Anglo-Saxon communities fuelled a desire to distinctively mark their graves.

Of the two prone females with grave markers noted above, the sixth-century woman in Grave 71 was aged 35–45 and furnished with a modest string of beads found at the neck. The other, aged 45+ and dated to the seventh century, lay in Grave 166b 'sprawled' above the supine body of a young adult male; both were furnished with iron knives, and the woman lacked her head, perhaps as a result of later disturbance to the grave, but not necessarily so. Although Graves 71 and 166 lay at the western and north-eastern limits of the cemetery respectively, each lay within one of the two very dense concentrations of burials found at the site. On the basis of overall distribution of graves, the excavators suggest that the cemetery developed from several foci, or family burial plots (Drinkall and Foreman 1998, 343). Thus the two prone women were incorporated geographically into their respective group burial plots, but marked out in terms of body positioning and signalling by means of grave markers.

Of the four male prone burials (Graves 85, 98, 150, and 161), of which only one (Grave 85) is incontrovertibly male, three were unfurnished. Grave 161, however, contained an iron spearhead dated to the seventh century (Swanton 1973, 52, type C2) and a copper-alloy buckle plate. The grave itself lay at the northern limit of the excavated area, just to the west of the north-eastern cluster of graves, perhaps consciously placed at the edge of a family plot. Immediately to the south of Grave 161 lay a well-furnished female (Grave 158) (although the osteology suggests a male), to the east lay a well-furnished older female (Grave 160), while to the south-west lay a crouched possible male with an iron knife. The unfurnished males in Graves 85 and 98 lay between the two dense concentrations of graves, the former within a group of moderately furnished graves but including the burials of two children (Graves 79 and 80), the latter away from other graves at the south-western corner of the largest excavated area. The adult male in disturbed Grave 150 clearly lay outside and to the north-west of the main burial area and beyond a possible bank defining the cemetery on this side. The remaining prone burial, unsexed and aged 14–15, also lay on the north-western edge of the cemetery 10m west of Grave 150. The 4–5-year-old child buried in Grave 171 lay at the south-eastern edge of the northern burial plot. The orientation of prone burials at Castledyke is varied, as it is in the cemetery as a whole, and shows no obvious pattern.

In conclusion, prone burial was applied to both males and females in the Castledyke cemetery, a burial ground apparently used by several families or perhaps small communities. There is a significant distinction, however, between the sexes, with females included within clustered plots and the males largely excluded. The concern of the cemetery-users for disturbed earlier interments, child burials, and women in general is signified by the use of grave markers, while the peripheral location of the male prone burials was evidently a sufficient use of the cemetery geography to ensure that they remained undisturbed. In terms of chronology, the unaccompanied graves can only be placed within the date range of the cemetery, from the late fifth to perhaps as late as the early eighth century. Only three graves are datable; the two females in Graves 71 and 166b are sixth- and seventh-century respectively, while the possible male in Grave 161 is probably of the seventh century.

Empingham II (Fig. 56)

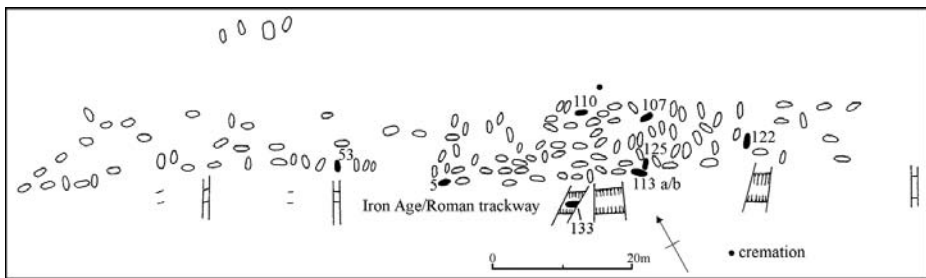


Fig. 56. Plan of the early Anglo-Saxon cemetery Empingham II, Rutland showing the location of deviant burials. (Redrawn after Timby 1996, 4–5, fig. 3)

Excavations at the Empingham II cemetery were undertaken in adverse conditions in 1974–5, with the report published much later as an attempt to bring to the fore the inadequately recorded but important burial evidence from the site (Timby 1996). A total of 136 burials and one cremation were found, dating the use of the cemetery to between the late fifth and seventh centuries, using the widest possible margins, but with most of the datable graves falling into the sixth century (*ibid.* 93–6). The extent of the cemetery appears to have been almost fully established. Deviant status at Empingham was expressed through prone burial, with a lack of other deviant types, although a single burial (Grave 133) was placed outside the southern boundary of the cemetery, but was otherwise normal in terms of its body positioning. Eight prone burials, 6 per cent of the cemetery population, were found (App. 2), all but one with some form of material culture found within the grave, although the range of grave finds was variable. Three of the burials were of females, one aged 10–12, with four men and one unsexed child aged 3–4. The young woman in Grave

107 was moderately well furnished in typical regional sixth-century style, with wrist-clasps and a chatelaine, while the 15-year-old female in Grave 122 was found only with an iron buckle at the waist. The 10–12-year-old in Grave 5 is sexed as female on the basis of the grave finds, which included three objects of silver, a wire ring, a hollow bead, and a circular disc of sheet silver cut into a cross-shape with flaring arms. The male graves were generally poor, with a knife and buckle from Grave 53, a few scraps of iron from the double Grave 113 of a man and child, and a spearhead and knife from both Graves 110 and 125.

The excavators believed that they had established the limits of the cemetery on all sides. Given the linear plan of the cemetery, which developed along the northern side of a trackway of Iron Age or Roman-period origin, all of the prone burials might, therefore, be considered peripheral. Yet, where the graves cluster towards the eastern end of the cemetery, it can be seen that none of the prone burials lie within that group, perhaps with the exception of Grave 122, and even that burial seems to lie at the western limit of the main cluster.

Besides the prone burials at Empingham, two further aspects of the cemetery require attention. First is Grave 133, noted above. The grave contained the body of a male aged 18–20, head to the north-west, lying supine and unfurnished in a grave cut into the trackway that formed the southern limit to the burial ground. It is suggested that the burial is later than those in the adjacent cemetery, perhaps even a Christian burial owing to its broadly west–east alignment (*ibid.* 5 and 15). The alignment, however, is shared by many of the other burials at the site, and as the author also suggests, it is equally likely to have been determined by the course of the trackway ditch. It is perhaps more plausible to see Grave 133 as broadly contemporary with the rest of the cemetery, and as an indication of a developing consciousness of the use and definition of space as a status indicator. The second aspect worthy of comment is a group of four graves beyond the north-western limit of the cemetery, comprising three single inhumations (Graves 29, 30, and 32) and one triple burial (Grave 31A–C) (*ibid.* 15). While none of the individuals shows deviant characteristics, all are male, aged between 17 and 45, and all but one (31C) was furnished with a shield and spear among other minor objects. Why this group of male warriors was buried separately from the rest of the community is impossible to know, but again the use of space is evident as a marker of status despite the osteologist's view that: 'There was no evidence for segregation of individuals by age or sex in the cemetery' (Mays 1996, 29). Mays's study of the skeletal remains from Empingham, particularly the dental evidence, failed to reveal clustering of hereditary traits (*ibid.*). While such evidence can support the existence of family plots, it is possible that the eastern cluster of graves represents a family or kin plot while the remainder of the burials was located in a more generalized way.

Where datable, the Empingham prone burials are of sixth- and seventh-century date (App. 2). The range of orientations exhibited by the prone burials equates to that observed in the cemetery as a whole. The warrior group is dated

to the late fifth to sixth century by the style of the shield bosses found with several of the burials (Dickinson and Härke 1992, Group 1.1, 23, fig. 16), a date range confirmed by the spearhead of Swanton's (1973, 107–11) H2 type found in Grave 31B.

The Empingham community evidently applied prone burial in a range of circumstances, but the peripheral location of such burials suggests a common emphasis. A consciousness of spatial distinction is borne out by the group of warrior graves separated from the main cemetery and the single burial found cut into the southern boundary of the cemetery.

Lechlade (Fig. 57)

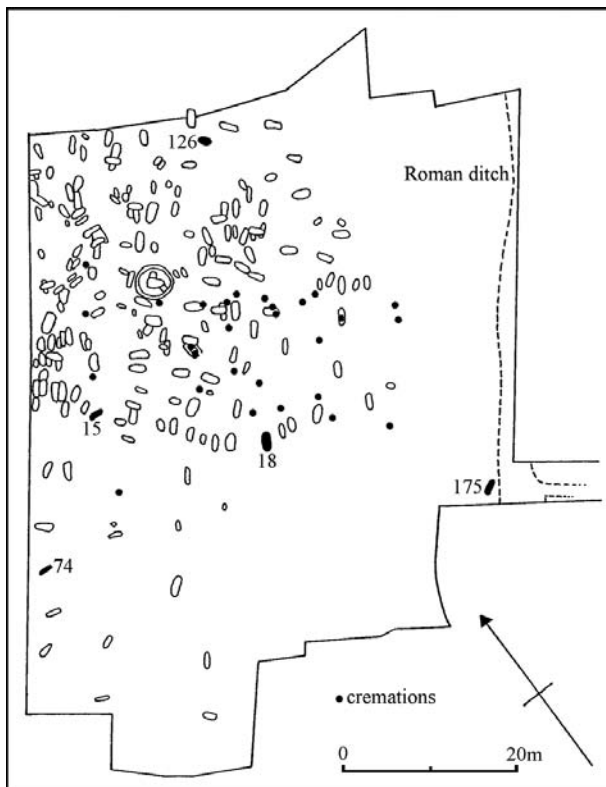


Fig. 57. Plan of the early Anglo-Saxon cemetery at Butler's Field, Lechlade showing the location of deviant burials. (Redrawn after Boyle *et al.*, 1998, 31, fig. 3.1)

The Lechlade cemetery, excavated in 1985, contained a total of 219 burials and twenty-nine cremations, and was in use from the mid- or late fifth century through to the seventh century (Boyle *et al.* 1998, p. xi). On the basis of the cemetery plan, it would appear that a large portion of the burial ground was

revealed, although the graves clearly extend further to the north and west. Deviant burials are evident in the form of three prone interments (1.3 per cent of the total number of burials) and one grave filled with large stones, while a series of other interments are marked out by their geographical separation from the main focus of burials which is itself a well-defined area. Only one of the prone burials (Inhumation 15) was sexed (to female) and buried with grave finds, an iron knife and a few pot sherds. Inhumation 74 was a juvenile aged 9–10, with pottery and animal bone in the grave fill, while Inhumation 126 was also that of a young person aged 14–15, with a piece of animal bone again in the grave fill. The distribution of these burials follows the pattern observed above. Inhumation 15 lay on the south-western margin of the main group of graves, Inhumation 74 lay among a dispersed series of graves to the south-west of the main focus, while Inhumation 126 lay on the north-eastern edge of the main group. Again it appears as though a conscious attempt was being made to exclude those buried in a prone aspect from the central burial area.

The graves amongst which Inhumation 74 was buried display a number of characteristics in their own right. While both sexes, adults and children are represented among the sixteen graves south-west of the main focus, they are united by their relative poverty, most of the adults being furnished only with knives or perhaps with a few other scraps of metal or a buckle. Two out of the seven females in this zone are buried without objects (Inhumations 73 and 175), while five out of six of the males have knives and very little else, if anything, with them (Inhumations 2, 16, 57, 69, and 72). The peculiar character of burials in this part of the cemetery is borne out by the presence of three children's graves (Inhumations 4, 12, and 23), all without objects, and by the presence of two female furnished burials. Inhumation 71 was buried with a bag with an iron frame, 200 uncut polished garnets, and a cowrie shell as well as silver and copper-alloy sheet fragments. Inhumation 3 was buried with a knife, silver bead, and two cowrie shells; perhaps these are burials of so-called 'cunning women', given the amuletic function often attributed to cowries (Dickinson 1993; Geake 2003; Meaney 1981; Wilson 1992, 103–9).

A further indication of fear of a corpse is present at Lechlade in the form of Inhumation 18, a female aged 25–30 richly furnished with a wide range of objects (Fig. 58). The grave, which lay at the southern edge of the main cluster, was filled with tightly packed large stones designed either to prevent her corpse from returning to the world of the living or, more pragmatically, to thwart potential grave-robbers. Grave 18 contained over fifty different objects, including ivory and iron bag-rings, a complete beaver-tooth pendant and a fragment of another, an iron chatelaine, several silver rings, a silver-coated tube, three Roman coins, and a fragment of a Roman altar (Boyle *et al.* 1998, 61–3). This burial fulfils all of the criteria discussed by Dickinson with regard to her suggested class of 'cunning women' (Dickinson 1993), and compares not only with the other 'amulet' burials in Graves 3 and 71, but with others elsewhere

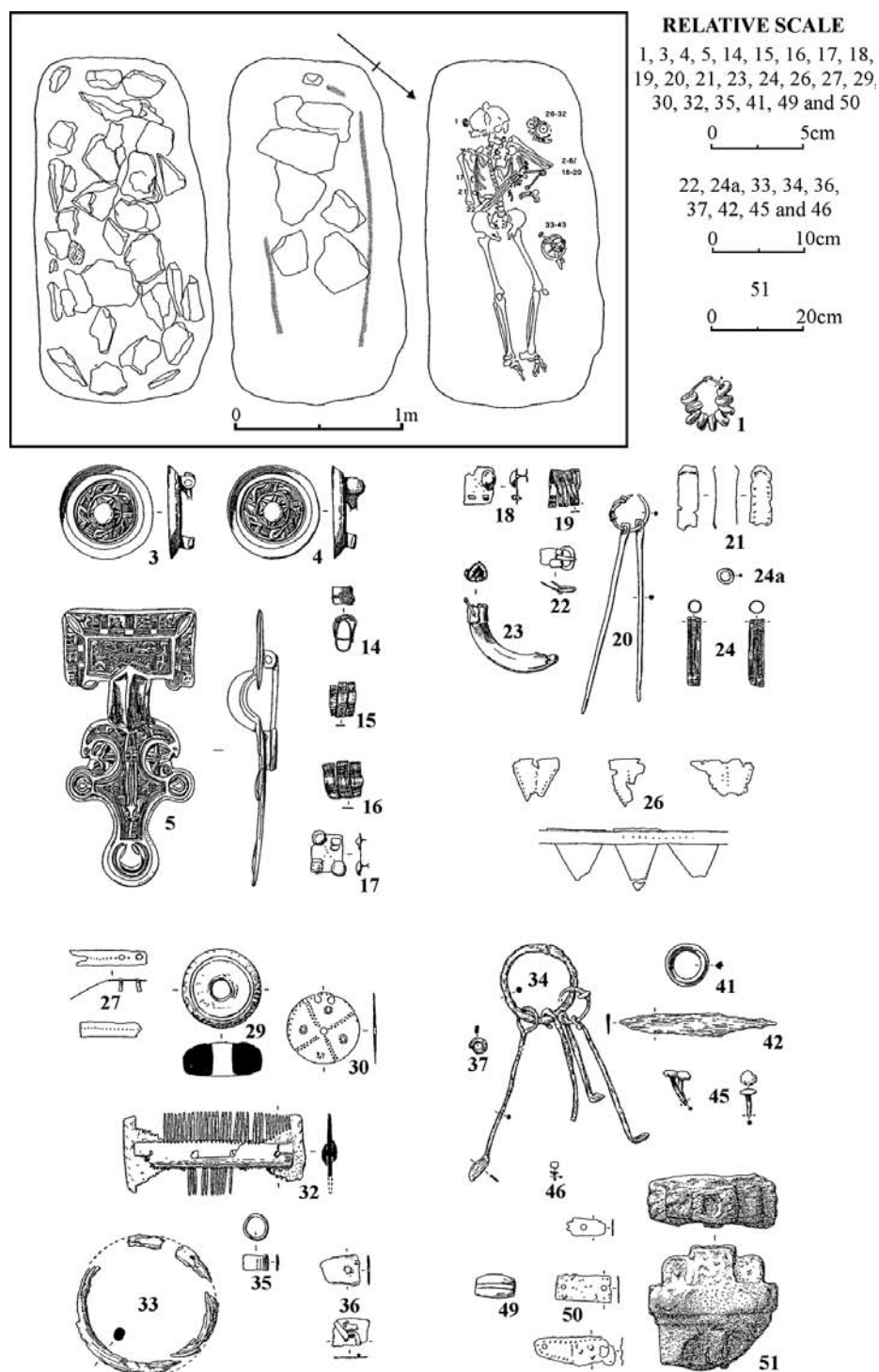


Fig. 58. The richly furnished female in Grave 18 at Lechlade. Note the stone packing of the grave. (After Boyle *et al.*, 1998, 157, fig. 5.4 and 196–200, figs. 5.43–7. Reproduced with permission of Oxford Archaeology)

(see below). A final burial of relevance at Lechlade is Inhumation 175, a possible female aged 35–40 interred without objects *c.* 15m to the south of the fringe of the main cluster of graves and clearly consciously separated from the rest.

The unfurnished Lechlade prone burials cannot be dated any more closely than the maximum chronological range for the cemetery, while the two women buried with cowries in the south-western zone are dated to the seventh century (Boyle *et al.* 1998, 40, fig. 3.3). Further datable burials within the south-western zone are of the sixth and seventh centuries, while the wealthy female Inhumation 18 is dated to the sixth century (*ibid.* 39, fig. 3.2). With regard to grave orientation, two of the prone burials (Inhumations 15 and 74) lay west–east, while Inhumation 126 lay with the head to the south-east.

The Lechlade cemetery is rather more cohesive in plan than the others examined so far, yet a similar pattern emerges with regard to the placing of deviant burials and the use of space to reflect status. While evidence for family plots is not immediately evident among the graves, the full analysis has yet to be published.

Norton (Fig. 59)

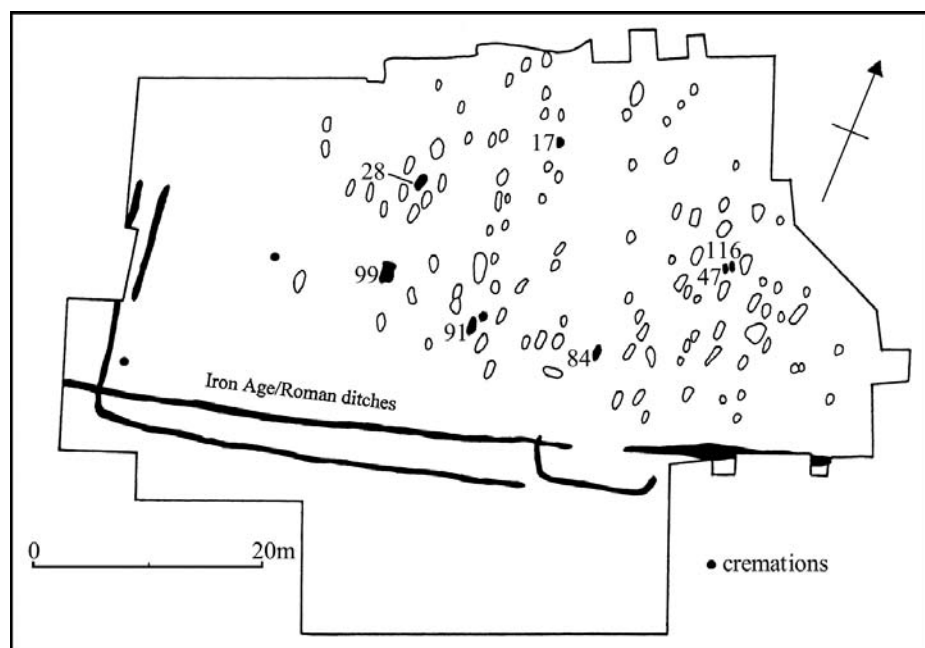


Fig. 59. Plan of the early Anglo-Saxon cemetery at Norton showing the location of deviant burials. (Redrawn after Sherlock and Welch 1992, 93, fig. 22)

The Norton cemetery was excavated from 1983 to 1985, following the discovery of a single sixth-century grave in 1982. The excavation revealed 117

inhumations and three cremation burials, and the burial ground was in use apparently throughout the sixth century and perhaps into the early seventh century (Sherlock and Welch 1992, p. ix). Pre-existing ditches of a field system of late Iron Age or Roman-period origin defined the southern and western limits of the cemetery, while the northern boundary seems to have been marked by a substantial hollow way with the eastern boundary formed by the natural topography (*ibid.* 12–13). The Norton cemetery, therefore, is a rare example of a near total excavation of an Early Anglo-Saxon cemetery, although the distribution of excavated graves suggests that the burial ground potentially extends further to the north-east.

The deviant population of the cemetery conforms to the other northern cemeteries examined in detail here, at Castledyke and West Heslerton, in terms of the relatively high number of prone burials found; seven in total, or 5.8 per cent of the burials at the site. No burials were found beyond the limits of the cemetery as described above, thus providing a contrast to most of the other case-study cemeteries. Out of seven prone burials, four were female, two male, and one an unsexed child. Four out of the seven burials were furnished. The young adult male in Grave 17 was interred with only a buckle; the females, aged 15–21 and 35–45 respectively, in Graves 28 and 84, were both well equipped. The younger woman was provisioned with a set of latch-lifters, annular brooches and beads, a short-bladed knife, and a corroded collection of copper-alloy and iron objects. The older woman was furnished with a florid cruciform brooch, an annular brooch, wrist clasps, a single bead, knife, and scabbard mounts. The female aged 17–25 in Grave 99 was buried only with a comb and pot sherd. The middle-aged female in Grave 47 and the immediately adjacent child buried in Grave 116 both lay prone and without finds. Several of the burials lay with their lower legs and feet pointing upward in the grave-fill or resting against the side or end of the grave. The relatively wealthy woman in Grave 84 had her grave capped with clay, perhaps suggesting a mound, a feature which is possible given the lack of other burials in a 3–4m radius around the grave.

The distribution of the prone burials throughout the cemetery is of particular interest. The graves in the cemetery as a whole can be divided into two groups on the basis of a gap in the central part of the cemetery and the fact that the orientations of burials on either side are slightly different. The social make-up of the Norton community appears more complex. Further analysis of the graves and their spatial distribution has revealed convincing evidence for family plots based both on gender composition and hereditary skeletal traits (*ibid.* 15–22). Two of these plots are evident in the clustered graves set apart from others in the north-western and north-eastern parts of the cemetery, while the basic distribution of graves indicates further groupings to the south-west and south-east with a few scattered graves in between. The cemetery analysis indicates four families, and the distribution of prone burial at Norton suggests again a commonly understood rite applied by individual families with

their own additional idiosyncrasies. Prone burials are present in three of the suggested plots. In the north-western plot, the richly furnished prone female in Grave 28 lies fully incorporated within the group, a feature observed, for example, at Castledyke, while the south-western plot arguably has the furnished prone women in Graves 84 and 99 at its eastern and western limits with the unfurnished male in Grave 91 lying centrally within the plot. Grave 17, a poorly furnished male, lies to the west of the north-eastern plot, while the associated prone burials in Graves 47 and 116 lie within the south-eastern area.

With exception of Graves 47 and 116 the orientation of the Norton prone burials largely followed that of the other burials which lay within a 40° range of north–south (*ibid.* 14–15, fig. 6). As noted above, Graves 47 and 116 lay adjacent to each other. Both burials were aligned east to west, a feature exhibited by only one other burial at Norton, Grave 102, where a rich assemblage of normally female items lay arranged within the grave as if worn, but where skeletal material was entirely absent. The Norton prone burials with grave finds are dated broadly to the sixth century, with the exception of the woman in Grave 84 who was buried in the late sixth century.

West Heslerton (Fig. 60)

The Anglian cemetery at West Heslerton was excavated over a ten-year period under research conditions from 1977 to 1987, revealing a total of 185 inhumation graves and fifteen cremation burials (Haughton and Powlesland 1999). The burial ground was used between the late fifth and early seventh centuries, and like the Abingdon cemetery, was focused on a pre-existing monument complex of Late Neolithic and Early Bronze Age origin. Although the cemetery was not completely excavated, the limits of burial were established on all four sides. A strip of ground that probably contains a dense concentration of burials was left unexcavated across the central part of the cemetery, and there are probably further scattered graves, especially to the north of the excavated area.

In common with Castledyke and Norton, a relatively high proportion of prone burials (7 per cent of the total number of inhumations) was found. Prone burial formed the only explicitly visible marker of deviant status at West Heslerton, with twelve examples, ten of which could be sexed with three males and seven females; several of the burials are sexed on the basis of grave finds. The age range runs from the 12–15-year-old female in Grave 118 and the 15–20 year old woman in Grave 132, though the rest are adults in their twenties and above. Nine of the burials were furnished. Males were generally poorly equipped. The man in Grave 126 was found with a buckle, knife, and piece of iron rod, while the male in Grave 155 was buried only with a spearhead; the male in Grave 6 was unaccompanied. By contrast, the women were far better adorned. With the exception of the findless Grave 166, all of the women were furnished with brooches and other items, although the occupants

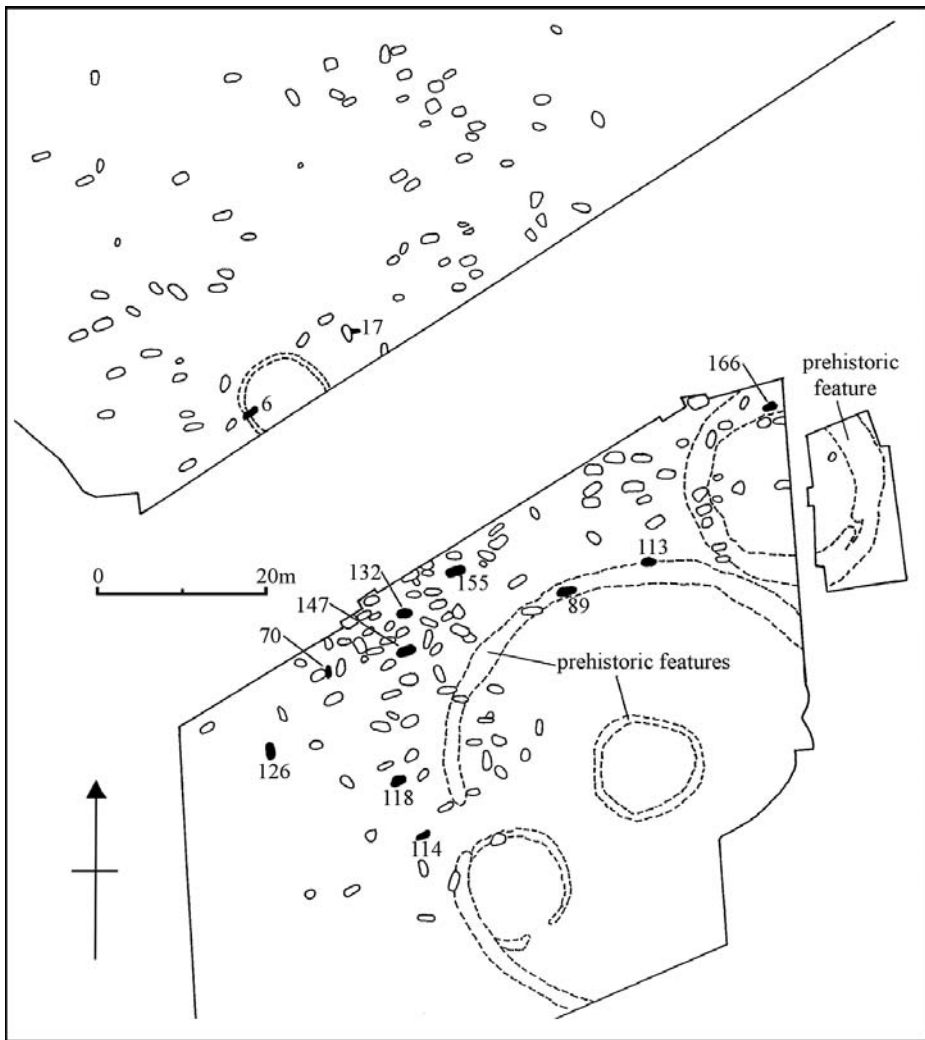


Fig. 60. Plan of the early Anglo-Saxon cemetery at West Heslerton showing the location of deviant burials. (Redrawn after Haughton and Powlesland 1999, 91, fig. 53)

of Graves 113 and 132 stand out as 'special' burials in addition to their prone aspect. Both graves contained a wide array of objects, but significantly, both were furnished with walnut amulets encased within copper-alloy cradles (Fig. 61). Both graves included amber beads, while the necklace of the woman in Grave 113 also featured a beaver tooth, a further amuletic object, and an antler bead. The unusual character of these burials draws analogies with the 'cunning women's' graves from Lechlade and Abingdon, where the corpses were either laid prone or stoned. The unsexed Grave 17 was buried without objects, whereas the remaining unsexed individual was interred with a few fragments of copper-alloy sheet.

Fig. 61. Walnut amulet encased in copper-alloy cradle buried with prone female in Grave 113 at West Heslerton. (After Haughton and Powlesland 1999, 188. Reproduced with permission)



The locations of the burials are of interest and reflect an emerging pattern of a commonly applied rite, with grave furnishing reflecting the normal range to be expected within and among different families and their dependants. The cemetery analysis reveals that the burial ground developed from at least five separate foci (A–E) with each location being used for burial for an extended period. As the cemetery expanded, new clusters of graves developed close to existing ones, which Haughton and Powlesland convincingly suggest are sub-groups of extended families or kinship groups (*ibid.* 83). The prone burials are mainly distributed across the southern and central part of the cemetery, although all but three burials lie around the edges of their respective burial plots. Graves 132 and 147 lie within plot A, although 147 could be argued to lie on the interface between plots A and E. Both graves are of well-furnished women, including the ‘amulet’ Grave 132. The furnished male in Grave 155 lay well within the eastern part of plot A. Unfurnished Graves 6 and 17 lay on the eastern edge of plot D, with 17 cut into a prehistoric ring ditch. Graves 113 and 166 lay respectively to the south and east of plot B and were also cut into ring ditches, as was Grave 89 which lay between plots A and B. Graves 70 and 126 lay at the edge of plot A and plots A and E respectively, while Grave 114 and 118 lay on the southern edge of plot E.

Where diagnostic grave finds allow, the West Heslerton prone burials can be dated to within a range of the late fifth to seventh century, although most are dated to the sixth century (largely on the basis of the brooch types accompanying the female burials) and none conclusively any earlier. West–east alignment was the preferred orientation throughout the lifetime of the cemetery, and the prone burials reflect this with eight out of twelve so arranged. Graves 70 and Grave 126 both had the head to the north and both were poorly furnished. The unaccompanied female in Grave 166 lay with the

head to the east, while the findless Grave 6 lay with its head end pointing to the south-west.

Notable features of the West Heslerton deviant burials are their frequent association with prehistoric features and the two females buried with amulets. Otherwise the manner and range of deviant burials corresponds with the other communities examined in detail. In common with several of the sites discussed above, an isolated grave lay away from the main group. Grave 30 was situated 115m north of the cemetery, and although no bone had survived, finds included an iron-bound wooden bucket and a knife.

DISCUSSION

Several common themes emerge with regard to the spatial aspects of deviant burial in Early Anglo-Saxon cemeteries, both from the detailed case studies and from more broadly based analysis. The existence of family or kin burial plots is evident from a number of sites, and yet the reaction of those individual groups to the treatment of their sinister or 'other' dead is remarkably consistent. While female deviants sometimes achieved burial fully incorporated into the cemetery space, the use of markers at sites such as Castledyke and Sewerby emphasizes their special character. The peripheral location of male and female deviants with regard to family or kin plots, at all of the sites chosen for detailed study and in general, suggests that where such burials are found a rather more compartmentalized view of early medieval cemetery space should be envisaged. There were evidently commonly understood zones within which individual groups conducted their mortuary ritual and with regard to which they reacted when burying their suspicious dead.

A further point of interest is the association between the graves of children and deviant burials seen at Castledyke and Lechlade in particular, indicating further the negative connotations of child-death in certain circumstances. Directly associated burial of adults with young children, where both are buried prone, is seen at both Empingham (Grave 113) and Norton (Graves 47 and 116).

The exclusion of individuals from communal cemetery space, but lacking other indications of deviant status, can be seen at Castledyke (Grave 150) and Empingham (Grave 133), where both inhumations lay physically separated from the main burial ground by boundary features. At Lechlade, Inhumation 175 lay close to a substantial Romano-British ditch and is thus a further candidate for a boundary burial in an Early Anglo-Saxon cemetery. Examples of exclusion utilizing boundary features is evident at other cemeteries, including Portway East (Hampshire), where Grave 50 lay to the west of a boundary ditch of Iron Age origin that served as a limit for the other burials in the cemetery (Cook and Dacre 1985, fig. 13; Stoodley, forthcoming). In each

case the boundaries appear to pre-date the cemeteries, and apart from at Norton, no attempt seems to have been made nor opportunity taken to fully enclose the cemetery space. It is nevertheless significant, however, that where a pre-existing boundary in the landscape served as a limit to the spread of a cemetery, they could also be used to express exclusion. While we have observed that deviant burials on the whole occupy liminal areas of Early Anglo-Saxon cemeteries, the use of boundary features in this way foreshadows an intensification of the use of physical boundaries as part of the funerary vocabulary of 'otherness'.

In addition to these 'boundary' burials are the several examples of graves isolated from the principal burial foci at Abingdon (Graves 90, 91, and 92) and West Heslerton (Grave 30). Other Early Anglo-Saxon cemeteries where marked isolation occurs include Broughton Lodge, where Grave 96 lay 15m to the west of the western edge of the cemetery, but separate nevertheless as it lay on the opposite side of the Fosse Way to the main burial ground (Kinsley 1993, fig. 105). At Frilford (Berkshire), site of a large Anglo-Saxon cemetery of fifth- to sixth-century date, excavations c.250m south-east of the main cemetery revealed an isolated male, accompanied with a *seax* (short sword) and knife, buried in a grave covered with stones (Bradford and Goodchild 1939, 37–9). The items with the isolated burial suggest a date in the seventh or eighth century, and it is possible that the burial belongs to a later milieu of isolated burials considered further below, rather than representing an outlier to the main cemetery (Meaney 1964, 47; see below).

Although exclusion involving considerable physical distancing is rare in Early Anglo-Saxon community cemeteries, the seeds of what became explicit practice during the seventh century and later can be seen in a few instances in a pre-Christian environment. The act of mortuary exclusion in the pre-Christian period seems to have been played out within the context of the family or kinship group, according to universally understood practice in terms of burial rites. The range of variation between cemeteries with regard to the detail of individual deviant burials is exactly what should be expected in a society governed not by complex top-down prescription but by bottom-up folk-practice. The detailed studies presented above shed new light on our understanding of this process, as for the first time prone burials have been shown to be sometimes evenly distributed among discrete burial plots where these can be discerned. Occasionally, and as a contrast to this pattern, deviant burials are sometimes observed in clusters incorporating several deviant burial types. At Broughton Lodge a total of nine burials, one prone, the others weighted down with stones, can be observed at the north-eastern periphery of the cemetery, while at Winnall II two potential decapitation burials in Graves 11 and 23 lay alongside the double Grave 24 and Grave 25, both of which were filled with stones. At Abingdon, as noted above, there is an apparent pairing of deviant burials as

with Graves 51/57 (prone/stoned), Graves 66/70 (both stoned), and Graves 29/81 (prone/stoned).

The fact that there is a spatial aspect to deviant burials from the sixth century demonstrates that there was an existing consciousness of exclusion at death ready to be developed and capitalized upon as a punitive measure when fixed boundaries in the wider landscape became important again. In tandem with the development of increasingly defined, mapped, and regulated territory from the late sixth century onward, fundamental changes to the geography of burial in Anglo-Saxon England are apparent from the very top of the social scale to the very bottom, and these topics are explored further below.

BURIALS AND BOUNDARIES: THE LATE SIXTH CENTURY AND AFTER

From the later seventh and eighth centuries evidence for exclusively deviant burial sites becomes more clearly defined, following the development of concepts of 'otherness' expressed within the parameters of contemporary administrative geography. Isolated deviant burials are the earliest type to emerge, with several well-dated instances (see below). The relationship of Early Anglo-Saxon cemeteries and other burials to the network of medieval parish boundaries has held scholarly attention since Desmond Bonney first suggested that there was an explicit relationship between the two (Bonney 1966). Bonney's analysis of Early Anglo-Saxon burials and parish boundaries in Wiltshire revealed 28.6 per cent with a direct relationship to a boundary, with a further 20 per cent lying within 160m of one (*ibid.*). To argue that burials up to 160m from a boundary have an intimate relationship with such a feature, particularly on the Wessex Downs, is at best hazardous. The majority of the downland parishes are of the narrow 'strip' type, and they tend to taper to a narrow end or point. Thus 160m from the boundary could in fact be the middle of the parish. In subsequent papers Bonney included references to heathen burials in his analysis in an attempt to strengthen his case, although, as argued below, this only confused the issue with regard to chronology, as the two forms of evidence are of different periods (Bonney 1976; Reynolds 2002). Anne Goodier extended Bonney's research to a national study that revealed a total of 17.9 per cent of Early Anglo-Saxon burials with a direct boundary association (Goodier 1984). While Goodier argued that the results of her study were statistically valid, and that there was a conscious attempt to locate burial sites in relation to existing boundaries, Martin Welch has produced a careful re-evaluation of Bonney's data, introducing a chronological dimension and questioning his assumption that barrows with personal names recorded in charter bounds necessarily refer to Anglo-Saxon burials (Welch 1985). Welch suggests instead that the named barrows should

be understood as property-markers whose etymology is provided by the name of the owner of the given estate at one time (*ibid.* 19–21), or the name of a neighbour. The strongest indication of this process in practice is provided by the bounds of Swallowcliffe (Wiltshire) of 940, that record the burial site of a wealthy seventh-century woman, whose grave had been cut into an existing mound, as *Posses blaew* (S468). *Poss* is a male name, and thus the mound is apparently not named after its Anglo-Saxon occupant (Speake 1989, 118–23).

The argument driving both Bonney and Goodier's work was the view that boundaries pre-dated burials, thus providing an indication that much of the framework of the medieval and later landscape was inherited from Roman Britain or even earlier (Bonney 1972, 184). Bonney's interpretation was set very much within the developing study of landscape archaeology, especially under the influence of Peter Fowler (building upon earlier fieldworkers such as O. G. S. Crawford and Leslie Grinsell), which had begun to argue that medieval landscapes preserved much earlier elements (Ashbee 1972; Fowler 1972). Overall, Goodier's national figures indicate that even if boundary burial was a feature of Early Anglo-Saxon society, it was not a particularly common one. Welch and others concluded that it was equally likely that boundaries were laid out in respect to significant features in the landscape, including burial sites marked by barrows (Welch 1985; Reynolds 2002). This observation becomes even more pertinent when the widespread reuse of earlier barrows as Early Anglo-Saxon burial places is factored into the debate.

The key issue that requires discussion, then, is that of the antiquity of the medieval parish as a territorial unit. While the manor was the principal unit of assessment in the Domesday Survey of 1086, ecclesiastical parishes began to facilitate tax collection and were largely formalized by the end of the twelfth century (Pounds 2000, 4; Blair 2005, 369). The later medieval parish and agricultural estate, or manor, normally coincided in extent. On the basis of charter boundary solutions, it has been possible to view a high degree of correspondence between the physical limits of parishes as recorded in the nineteenth century by the Ordnance Survey and those described in the corpus of Anglo-Saxon charter bounds (Hooke 1998). It must be said, however, that despite attempts to emphasize the period between the late ninth and twelfth centuries as the age of 'manorialization', village formation, and parish origins, both documentary and archaeological evidence indicates a more subtle and complex process over a longer time-frame (Pounds 2000, 3).

In terms of the debate about how we should understand the relationship between burial evidence and boundaries, three important developments of Bonney's approach are required for advances to be made: first is the introduction of a careful chronological assessment of the evidence provided by archaeology and written sources (charter bounds); second is the need to consider the character and categorization of individual burials and burial sites; and third is

the necessity to take into account boundary hierarchies. In other words, the debate must take account not only of changes over time in burial rite and of the physical character of different burial rites and sites, but also of the fact that by the late Anglo-Saxon period at least a clear administrative ranking of boundaries in the landscape can be observed.

There is general agreement among those working in the field that the network of estates of the later Anglo-Saxon countryside was created by a process of fragmentation of large units of the type that Bede terms *regiones*, and which the late seventh-century Tribal Hidage records in its lesser assessments of several hundred hides (Hooke 1998; Reynolds 1999). The concept of the 'complex' or 'federate' estate is presumed by many to have been prevalent between the seventh and ninth centuries, with specialized dependent settlements organized around a central royal vill, minster church, or both (Hooke 1998, 52). Again, the picture is likely to have been much more complex in reality, and there is not the space here to pursue that area of research. A burning issue, however, is whether the units known explicitly as hundreds by the later tenth century are potentially of earlier origin in Wessex than in the regions formerly within the Danelaw. The morphology and hidages of the Wessex hundreds is extremely varied in comparison with the more regular units of the Midlands and the north, and this has led to a view that the former are archaic in comparison. A second major contention is whether the physical limits of hundreds reflect those of *regiones*. Steven Bassett, for example, has convincingly argued on the basis of charter evidence that the minster *parochia* (parish) of Wooton Wawen (Warwickshire) was based on the *regio* of a group known as the *Stoppingas* (Bassett 1989, 18–19), while in Surrey John Blair provides a case study in the close spatial relationships between minster *parochiae* and hundreds (Blair 1991, 91–108). Research by Jonathan Pitt has shown similar patterns in Wiltshire, while Hampshire compares well again (Pitt 1999; 2003; Hughes 1984; Hase 1994; Klingelhöfer 1992). A careful analysis of the contemporary territorial context of the four earliest known execution cemeteries (Chesterton Lane, Staines, Sutton Hoo, and Walkington Wold) has revealed a close relationship with the borders of tribal and early kingdom boundaries which survived as significant administrative divisions into the Late Anglo-Saxon period (Reynolds 2008).

It seems likely that many hundredal units preserve a pattern of estates potentially as early as the seventh century, although known processes of hundredal reorganization in the Late Anglo-Saxon period show that the geography of Domesday Book is itself the product of territorial readjustment over a long period (see, for example, the restructuring of the Worcestershire hundred of Oswaldsloew in the tenth century: Gelling 1992; Wormald 1995*b*; and the shiring of the former Mercian kingdom in the tenth and eleventh centuries: Hill 1981). The issue is complex, and there is a vast literature on the subject outside the scope of this book, yet it is possible to

approach questions of territorial antiquity through well-dated burial evidence, as outlined below.

The origin of yet smaller territorial divisions, estates, later parishes, is clearly at least as early as the tenth century, when many of these units, particularly in Wessex and the West Midlands, were described in charter boundary clauses of sufficient detail to observe their physical correspondence with the civil parish boundaries recorded by the Ordnance Survey in the early nineteenth century (Hooke 1998). The key issue, of course, is whether charter bounds were describing estates newly carved out of larger units, or whether they describe boundaries already centuries old, potentially the subdivisions of long-established component farms of large Middle Anglo-Saxon estates. The limits of specialized farms must surely have been known by both those who administered and worked the lands of large estates. Rather than having been carved up anew, it seems equally likely that many of the lands granted by charter throughout the Anglo-Saxon period reflected existing units.

While there is rightly a focus on the (controlled) explosion of granting land during the central decades of the tenth century (Hill 1981, fig. 36), an extensive corpus of grants of seventh- to ninth-century date has long been known. Three mid- to late eighth-century grants from Wiltshire, at Tockenham, Wootton Bassett, and Little Bedwyn (S96, S256, and S264), for example, relate to lands that in morphological and topographical terms follow the same pattern as estates of the Late Anglo-Saxon model countryside of Hooke and others. A fuller study of this material is necessary before a reasoned case can be made, but the important point here is that dated deviant burials provides a specific sub-set of data with which to assess the chronology and status of boundary features.

By the Late Anglo-Saxon period a clear ranking of territorial boundaries is evident in the landscape, beginning with enclosures around individual farmsteads, moving up to the limits of individual settlements, and then describing the physical limits of the tithing, estate, and the hundred. In regions such as Kent and Sussex yet larger groupings of lands existed in the form of much-debated lathes and rapes (Everitt 1986; Welch 1992), with the shire forming a commonly understood major unit subordinate only to that of the kingdom.

THE EMERGENCE OF SPATIAL OTHERNESS AND THE GEOGRAPHY OF BURIAL

The analysis of the spatial patterning of deviant burials within Early Anglo-Saxon community cemeteries presented above shows an indisputable indication of embryonic concepts of spatial otherness. An important issue still to be resolved, however, is whether Early Anglo-Saxon communities separated the living from the dead, or whether cemeteries were located adjacent to or within

settlements. To date there has been no quantified approach to this question, and scholarly opinion is divided between those who have highlighted a close relationship between the two and those who emphasize apparent separation (see Reynolds 2002, 186–7 for a discussion of this). It seems likely that both scenarios operated, but further research is necessary. During the later sixth and seventh centuries, however, fundamental developments occurred in the way that society was organized, and the burial evidence considered below reveals subtle yet persistent patterns that reflect the increasing formalization of the landscape. On the basis of archaeological and written evidence, the discussion below highlights a series of well-defined burial types and, with regard to the deviant types among them, examines their topographical context and relationship to administrative boundaries.

It has long been recognized that the isolated high-status barrow burials of late sixth- and seventh-century date, such as Asthall (Oxfordshire), Caenby (Lincolnshire), Sutton Hoo, and Taplow (Buckinghamshire), represent the emergence of an elite class during the period of the development of the earliest English kingdoms (Shephard 1979). The decision to bury those at the very top of the social scale apart from the rest of the community and in such a prominent way demonstrates the spatial use of landscape in the ordering of society. In a landscape context, the locations of high-status barrow burials can be seen to dominate visually, often commanding 360° viewsheds (Williams, H. 1999). John Blair's consideration of high-status barrow burial emphasizes the apparent increase in the practice for females in the later seventh and early eighth centuries, following a more limited application of the rite, mainly for male 'princely' burials, during the late sixth and early seventh centuries (Blair 2005, 230). By the early eighth century attitudes to barrows had broadened to include sometimes negative associations in judicial and other punitive contexts, and also considering them as places where demons and other fearful creatures might reside (see Ch. 6).

The use of landscape to emphasize burials of the late sixth and seventh centuries was not limited to those of the very highest status. Among the earliest of the lesser wealthy isolates is the late sixth-century burial of a woman within a prehistoric enclosure at Winthorpe Road, near Newark (Nottinghamshire) (Samuels and Russell 1998). The seventh-century smith's grave from Tattershall Thorpe (Lincolnshire) is also a richly furnished isolated interment, perhaps because of its superstitious undertones (Hinton 2000, 113), although in this case situated 350m from the nearest boundary. Such burials appear to emphasize spatial separation, the Winthorpe Road woman due to her social rank, the Tattershall smith perhaps due to a fear of the powerful dead in a similar vein to the 'cunning women' in Early Anglo-Saxon cemeteries; both lack explicit association with boundaries.

Perhaps the earliest recognition of an Anglo-Saxon burial site on a boundary was made in the late eighteenth century (Shaw 1798). The context was a

consideration of a charter of 1008 granting land at Rolleston (Staffordshire) by the antiquarian S. Shaw that describes ‘þer ða þoefes licgan’ (‘where the thieves lie’) as one of the boundary marks of the estate (ibid. 28). Later, Charles Perceval commented on the shire-boundary location of the ‘cwealmstow’, or ‘killing place’ in the boundary clause of a charter of 1012 relating to land at Fenstanton (Huntingdonshire), quoting an earlier comment by J. M. Kemble noting how the place was ‘properly in the mark’ (Perceval 1865; Kemble 1857). Despite the fact that references to a range of burial sites in charter bounds was recognized by Kemble in the mid-nineteenth century, few attempts have been made to explore the potential of this material since his list of ‘heathen burials’ and other sites was published in 1857. Furthermore, little attempt has been made to understand the relationship between boundary burial sites, both documented and excavated, and boundary hierarchies.

Charter bounds provide, in many cases, dated references to burial sites, which are often at least broadly locatable in the modern landscape. Prior to the present study, burial data in boundary clauses has remained either untapped or has been related to the pre-Christian period. Little allowance has been made for the possibility that burial sites incorporated into boundary clauses could in fact be related to contemporary practice, rather than representing a distant memory of local toponyms orally transmitted for centuries only to be preserved by accident by Late Anglo-Saxon land-surveyors.

The difficulties of working with Anglo-Saxon charters are manifold. The surviving corpus reveals strong regional and chronological trends. The majority of charters, including those with bounds, relate to lands in southern and western England, while the middle decades of the tenth century saw an intense period of granting land by charter in comparison with earlier and later periods (Hill 1981, 21, fig. 35 and 26, fig. 36). Although material has undoubtedly been lost by various means, the general view of intensification in the granting of land is widely accepted, and must be borne in mind with regard to how such evidence is interpreted.

The dating of individual documents can be problematic, with the production of forgeries in order to lay false claim to a title common in the tenth and eleventh centuries. Even largely authentic grants may have later material interpolated into them by copyists. For our purposes, however, the ground is rather safer. While certain grants might be entirely fictional, their boundary clauses are less likely to be so, and generally they relate to the lands that the charter purports to describe (Hooke 1990, 2–3; Costen 1994, 97). Only occasionally were boundary clauses copied directly from existing charters without any attempt to produce a genuine record of the bounds of the estate. Prior to the later ninth century boundary clauses were normally written in Latin, and afterwards in the vernacular OE. This feature facilitates the identification of later boundary clauses attached to early charters. Unless a clear objection is apparent, the dating of the bounds considered below follows that of the associated charter,

while bounds in isolation lack a precise date. Comments on the authenticity of individual charters can be found in Sawyer's 1968 handlist and by reference to Sean Miller's online resource, Anglo-Saxons.net, while a full discussion of authenticity in each case is beyond the scope of the present analysis.

Burial sites apparently contemporary with the bounds that record them can be divided into three categories, and are considered here with their proposed archaeological correlates. Terminology in the first category covers both places of judicial execution and locations for the burial of social outcasts, principally execution victims. The second category comprises individual named burials; the third, field cemeteries of an unspecified character. Reference numbers in brackets relate to documented burial sites listed in Appendix 4.

Isolated deviant burials

There is an emerging class of isolated burials of seventh-century and later date where evidence of trauma, boundary location, or a lack of furnishing or grave elaboration suggest outcast status. Individual interments, either chance finds or recovered from excavations concerned with other categories of archaeological remains, are relatively frequent finds, although their significance has gone largely unnoticed. Only recently has radiocarbon dating become common, which has facilitated a new assessment suggesting that the phenomenon is more likely to be of Anglo-Saxon date than otherwise, particularly when the remains are also observed to coincide with administrative boundaries; charter evidence provides a documented perspective. This newly identified class of interments has significant implications for the origins of territorial units of differing types, and several examples are discussed below.

At Broad Hinton (Wiltshire) the shallow burial of a male aged 35–45 lay at a crossroads formed by the intersection of two hollow ways on the north-west-facing scarp of the Marlborough Downs (Clarke 2004). The partly eroded body lay supine, with the hands placed over the pelvis and the head to the south-west. A radiocarbon determination of AD 540–680 at 95 per cent probability (AD 595–665 at 68 per cent probability) was obtained (OxA 11173) and indicates a late sixth- or seventh-century date for the burial. The site lay a few hundred metres north of the boundary between the Domesday hundreds of Kingsbridge and Selkley, although the scarp slope itself may have originally served as the boundary. One of the two trackways is of at least Anglo-Saxon origin (Pollard and Reynolds 2002, 225). Potentially, this burial is an early example of interment at a crossroads comparable to the suggested Late Anglo-Saxon examples recorded in charter bounds (see below).

Excavations at Chiswick (West London) revealed an isolated inhumation, probably a male, aged 33–45 on the basis of tooth wear (Lakin 1996). The body lay on the foreshore of the Thames and therefore in a location that served as a hundred boundary at least by the time of the Domesday Survey. The feet of the individual were crossed at the ankles, with the right arm flexed over the

pelvis. The body had potentially been wrapped, to judge by the straightness of the left arm by the side. Interestingly, an iron object 'resembling a square-sectioned peg' was recovered from between the legs, suggesting perhaps that the body had been staked to the foreshore. Radiocarbon dating places the burial in the earlier seventh century, with a determination of AD 450–820 at 95 per cent confidence (ibid. 72).

A parallel between the Chiswick burial and, particularly, one of two female burials from Bull Wharf to the east, on the foreshore in the City of London, is apparent. The Bull Wharf bodies apparently pre-date the building of the waterfront of Alfredian London. One, dated to between AD 670 and 880 (95 per cent probability), had died from a blow to the head (Wroe-Brown 1999, 13), and was perhaps staked out on the foreshore in view of a wooden peg found driven into the ground between the legs. The second burial, within 5 m, was a simple inhumation placed east–west along the line of the river. The location of these burials is striking, given their high visibility along a busy watercourse, and, with the Thames serving as a hundred boundary, the women might be victims of judicial drowning. The radiocarbon-dated burial suggests interment prior to the reoccupation of the walled city in the later ninth century. At Jubilee Hall in Lundenwic a prone male burial in a shallow grave has been radiocarbon dated to AD 630–75 (Cowie and Whytehead 1988, 56), and shows that isolated burial occurred there prior to the development of the Middle Anglo-Saxon *emporium* in the late seventh century.

A further seventh-century example is from Maiden Castle (Dorset), where an association between a mutilated human burial and a prehistoric monument can be found. Don Brothwell's reassessment of the so-called Skeleton Q1, previously believed to be of Neolithic date, showed that the man had been butchered with metal instruments (Brothwell 1971). His secondary burial in the Neolithic bank-barrow within the iron age hillfort occurred in the first half of the seventh century according to a radiocarbon determination of 1315 ± 80 BP (BM-458). Additionally, Maiden Castle itself lies on the boundary between the Domesday hundreds of Cullifordtree and St George.

An eighth-century example is the decapitated man aged 28–32 found in the south-eastern quadrant of Stonehenge, between the inner earth bank and the circle of trilithons (Pitts *et al.* 2002; Fig. 62). Initially dated to AD 600–90 at 95 per cent confidence, the date is now revised to AD 660–890 at 95 per cent probability (Hamilton, Pitts, and Reynolds 2007). Postholes at either end of the man's grave suggest a structure above, while the association of the grave with a prominent prehistoric monument, perhaps itself named after the resemblance of the great trilithons to a stone gallows (OE 'stan-hen(c)gen'), indicate a seemingly negative association with the place in the early medieval mind, at least in the eighth century (Gover, Mawer, and Stenton 1939, 360; Reynolds 2005a, 36). Stonehenge lies just to the south of the boundary between two Domesday hundreds, although in the later nineteenth century William Long

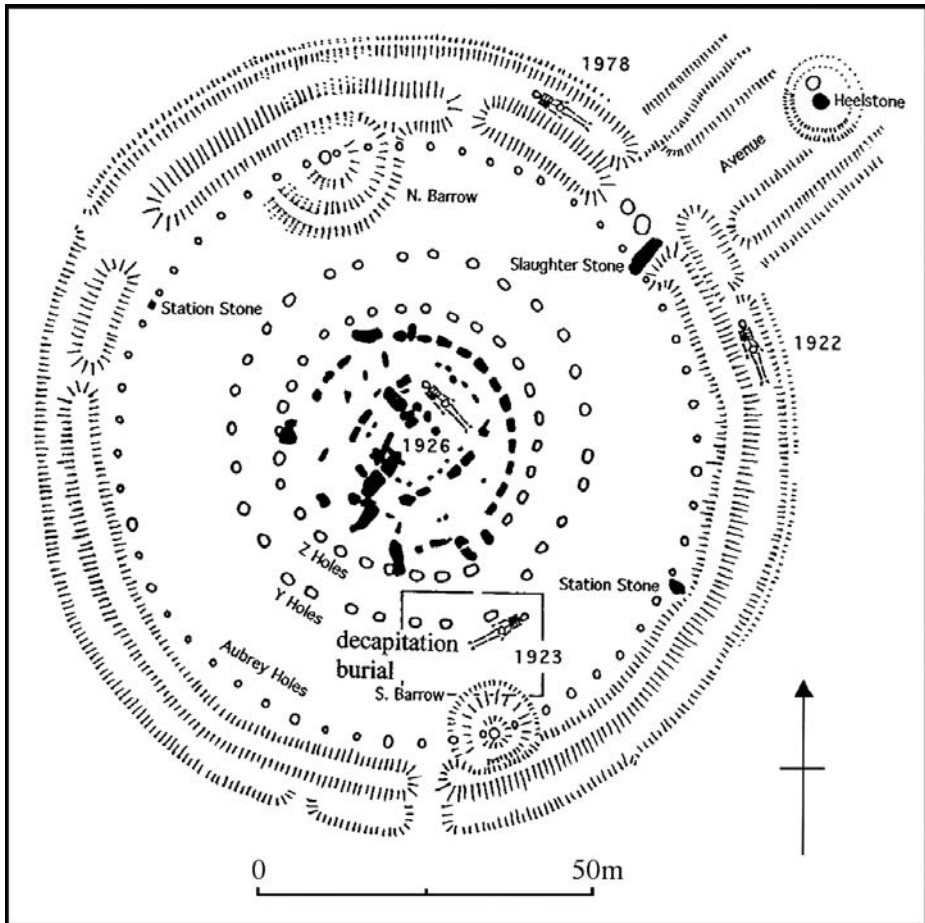


Fig. 62. Plan of Stonehenge showing the location of the early medieval decapitation burial. (After Pitts *et al.* 2002, fig. 1. Redrawn with permission of the Wiltshire Archaeological and Natural History Society)

recorded that ‘Mr Edwards mentions the curious fact that the Stonehenge circles and the Friar’s Heel [the Heelstone] are in different hundreds, the former being in the Hundred of Underditch, and the latter in the Hundred of Amesbury’ (Long 1876, 224).

At Middleton-on-Sea (West Sussex) an isolated burial of a young adult was found during archaeological excavations within 20m of the parish boundary between Middleton and Felpham (N. Griffin, pers. comm. 2003). The burial was only partially preserved and could not be sexed, but sufficient survived to indicate that it lay supine with the head to the west. Radiocarbon dating provided a calibrated determination of AD 640–990 at 95 per cent probability (AD 680–890 at 68 per cent probability), with the intercept of radiocarbon age with the calibration curve at AD 780 (Beta-152861). If, indeed, the burial

is of later eighth-century date, then its relationship with what later became the parish boundary is of significant interest. The boundary adjacent to the burial is described in a charter for *Felbham* (Felpham) dated 953, which survives as a fourteenth-century copy (S562), although no memory of the burial is recorded in the boundary clause, where the location is called Stanford (Abbott 1995, 27–34). The boundary in question was also that of the royal estate of Felpham, bequeathed by King Alfred to his kinsman Osferth (Keynes and Lapidge 1983, 176, map 5). The location of the burial at a fording point is worthy of note.

These archaeological examples provide a framework for approaching the mass of undated burials listed in county sites and monuments records across the country. Burials such as the undated inhumation found in a wooden coffin with iron fittings on the boundary between the Domesday manors of Choulston and Figheldean (Wiltshire) may also belong to this class (Bonney 1976, 76–8). The status indicated by the coffin with iron fittings contrasts with its liminal location, but the burial of a dispossessed thegn might leave exactly such a trace. A further possibility is the headless burial found within 80m of the parish boundary between Singleton and Lavant (West Sussex), interpreted at the time of discovery as a ‘heathen burial’ (Aldsworth 1976, 329–30).

A striking archaeological example where an explicit relationship with an early crossroads (see below) can be observed comes from excavations in advance of the Channel Tunnel Rail Link at White Horse Stone in Kent (Reynolds, in prep.). Open-area excavation revealed the intersection of the Roman road leading south from Rochester with the Pilgrims Way; the boundary between the parishes of Aylesford and Boxley, also that between the hundreds of Maidstone and Eyhorn, runs across the intersection. The burial of an unaccompanied female aged 25–35, laid supine with the arms folded across the chest, was found just 5m north of the boundary line in the south-east quadrant of the crossroads. A radiocarbon determination from the woman’s femur returned a date of AD 680–980 at 68 per cent confidence (GU-9013).

Although archaeological evidence for boundary burial securely dated to the later Anglo-Saxon period is relatively scarce, charter bounds record isolated interments, many of which exhibit the characteristics of crossroads burials, a phenomenon otherwise unrecorded until the sixteenth century. References to named individuals are limited to twelve examples recorded in fifteen sets of bounds (Fig. 63), with four from Wiltshire, three from Hampshire, two from Worcestershire, and one each from Berkshire, Sussex, and Surrey (App. 4). Ten are males, with two females (110)/(112) and (111). One particular example, in the bounds of Crondall (Hampshire) (117), records contemporary knowledge of a named person, unambiguously noting their outcast status. The clause in question runs: ‘swa on ðone hæðenan byrgels. ðonan west on ða mearc wær Ælfstan lið on hæðenan byrgels’ (‘so to the heathen burial. Then west to the boundary where Ælfstan lies in a heathen burial’). It seems plausible

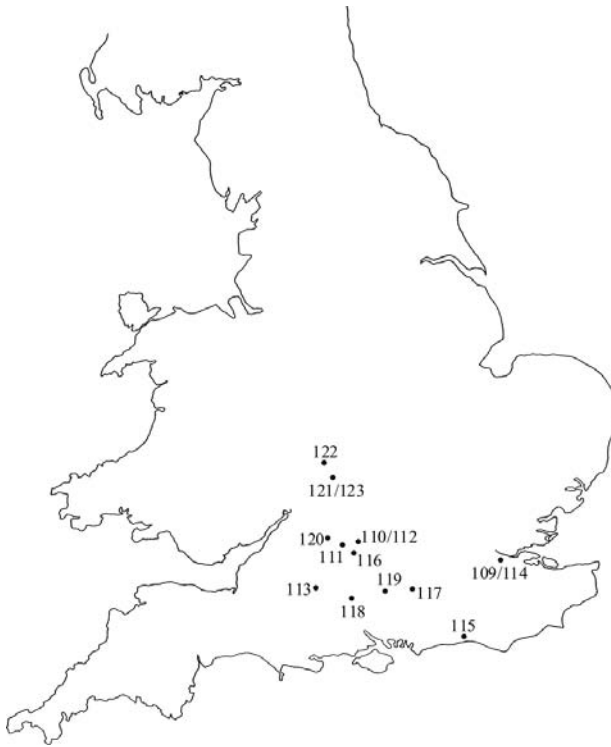


Fig. 63. Distribution of burials of named individuals in Anglo-Saxon charter bounds: 109 Battersea, 110 *Æscesbyrig*, 111 Chiseldon, 112 *Æscesbyrig*, 113 *Ellendune*, 114 Battersea, 115 Washington, 116 Bedwyn, 117 Crondall, 118 Fyfield, 119 Wootton St Lawrence, 120 Dauntsey, 121 Evesham, 122 Tardebigge, 123 Twyford in Norton-and-Lenchwick. Note: numbers refer to catalogue entries in Appendix 4.

that *Ælfstan* was the latest addition to a ‘heathen burial’ place when the bounds were drawn up, or that he was a local notable whose interment at a location specifically for outcasts caused sufficient fuss for his name to become incorporated into its nomenclature. The specific wording of the boundary clause records a burial of comparable status in close proximity.

The remaining eleven examples are surely what the bounds purport to describe, burials of named individuals, broadly contemporary with the bounds that record them, or at the very least belonging to the Christian period. With the exception of one unlocated burial (120), all are either beside or adjacent to routeways (Fig. 64). Four sites lie beside Roman roads: (109)/(114), (111), (116) and (121)/(123), with (119) alongside a *herepað*. The remaining sites are associated with routes of varying importance, most seemingly major highways.

A possible context for such burials might be estate-forfeiture as a result of the legal process, with the named individuals being the former owners of the estates upon whose boundaries they lie, although they might equally

result from suicides (see below). The former contention is supported by the fact that named individuals lie on estate boundaries more frequently than hundredal boundaries in the order of 8 to 4. An example of estate-forfeiture which may well have produced a locally remembered burial, if indeed the woman was buried at the spot where she was drowned, is recorded in the charter of 963 $\times$ 975 quoted at the start of Chapter 1 that describes the drowning of the so-called 'widow of Ailsworth' at (a) London Bridge, probably in Northamptonshire (Hill 1976, 303–5). Furthermore, the location of the Ailsworth widow's execution by a route of communication agrees well with the instances presented above. Similarly, the case of a certain Ecgferth's drowning and estate forfeiture in the mid-tenth century provides another possible example (see below), although whether his death was judicially prescribed is unknown. Contemporary evidence perhaps suggests that burial by highways and at heathen burial places were seen as separate phenomena. Ælfric, writing in the late tenth or early eleventh century, notes how 'witches resort to crossroads, *and* [my emphasis] to heathen burial sites with their evil rites, and call upon the devil, and he arrives in the form of the person who lies buried there as if he had risen from death' (Griffiths 1996, 35). Heathen burials are considered further below, although they deserve mention here as just over half of the known references are in the singular, perhaps indicating that many are individual burials as opposed to cemeteries. At least from Ælfric's perspective, burials of this type were 'powerful dead'. Interestingly, an (anonymous) introductory addition to a late eleventh-century copy of Vercelli Homily IX (Oxford, Bodl. Hatton, MS 115) notes how excommunicates (both ecclesiastical and lay) as a result of sexual deviance are not permitted to be buried in 'a grave within a hallowed church; nor even [to be] borne to a heathen grave (*hæþenum pytte*); but they are to be carted [to a dunghill?], without a coffin, unless they repented' (Treharne 1995, 198). While Donald Scragg has noted that the homily 'preserves some early readings', Victoria Thompson has observed how the text in question relates to what must have been regarded as particularly heinous sexual crimes (Scragg 1992, p. xxxi; Thompson 2004, 171–2).

A clearly defined concept of social exclusion during the tenth century can be observed in the laws. The earliest clause to refer explicitly to exclusion from consecrated cemeteries is found in Æthelstan's second code (II As 26). Exclusion in practice is explicitly described in the preamble of two remarkable charters of 962 and 995 (S702 and S883). The former document, regarding forfeiture of an estate at Sunbury (Middlesex), concerns Ecgferth (noted above), who was drowned for an unknown offence and barred from burial in consecrated ground (Robertson 1939, no. 44). The latter charter relates to land at Ardley (Oxfordshire), and relates a dispute about two brothers, killed while defending a thief, illegally given Christian burial (Whitelock 1979, 571). The concept of exclusion in northern England is recorded in the early eleventh-century Law of the Northumbrian Priests (*ibid.* 475, cap. 62).

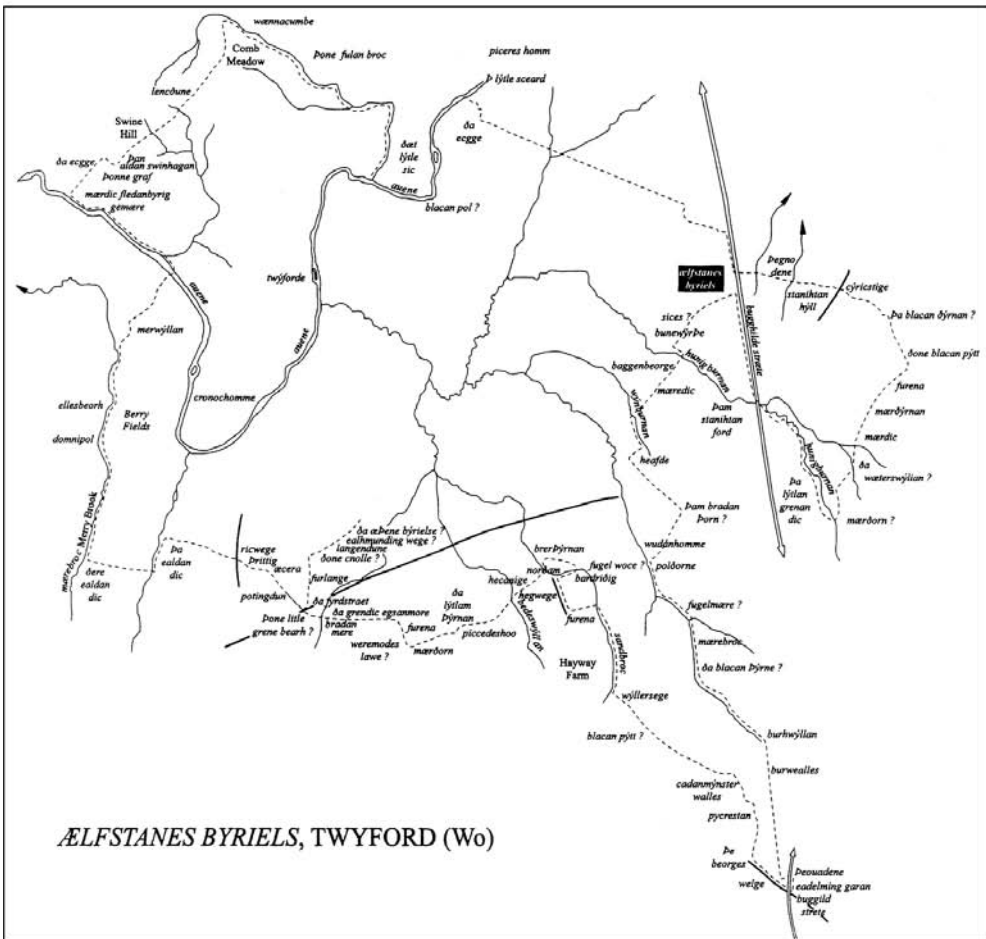


Fig. 64. Examples of named individual burials in charter bounds located adjacent to major routes: (A) *Ealhmundes byrigenne*, Tardebigge (Worcestershire) and (B) *Ælfstanes byriels*, Twyford in Norton-and-Lenchwick. (Redrawn after Hooke 1990, 404 and 410-11)

In summary, named individuals buried in roadside locations might be seen as the product of estate-forfeiture and local execution or as forerunners of the rather better-documented crossroads burials of the late medieval to early modern era (Daniell 1997, 105–6). In the place-name record certain of these latter burials, usually of suicides, present an identical form of evidence. Oram's Grave in the parish of Maddington (Wiltshire), for example, records the burial of a suicide at the crossroads there in 1849, although officially the practice was ended by a parliamentary act in 1823 (Gover, Mawer, and Stenton 1939, 234; Halliday 1997, 6). Until now, the earliest suggested example of a documented crossroads burial in England is dated 1510, being that of Robert Browner, superior of Butley Priory in Suffolk, who hanged himself on account of fiscal incompetence (Halliday 1997). Alexander Murray notes earlier examples of the practice from a variety of European contexts (Murray 2000, 46–9). For example, in Ripuarian Frankish law of the seventh century, a defendant who died of natural causes before a trial was concluded was to be buried at a crossroads with a noose around his neck, of which the end was to protrude above ground level. The purpose behind this bizarre ritual was to allow six witnesses to the original burial to swear before an inquest that the person died in the way that they did. Burchard of Worms's early twelfth-century penitential text *Corrector* reports the practice of people suspending objects, including human limbs and herbs with magical properties, at crossroads, while the north German Rügen customary of 1530 states that a suicide should be buried at a road junction, at a place where several boundaries meet, but within the lordship where the self-killing occurred, and with the head where the feet would normally lie in a Christian burial (i.e. to the east; *ibid.*). Overall, crossroads appear to have possessed a range of superstitious associations in local belief and custom.

Archaeological examples of individual interments of eleventh-century and later date, buried apparently in isolation, are known from a number of locations, and serve to underscore the value of obtaining radiocarbon dates for otherwise undated single inhumations. A male skeleton found in the side of a brook at Doncombe Bottom, Marshfield (Gloucestershire), provided a date of AD 1060–1270 at 95 per cent probability (OxA-12738), which is broadly confirmed by the finding of a single sherd of Late Anglo-Saxon pottery in the grave fill (R. Osgood, pers. comm. 2004); the burial site lies on the county boundary between Gloucestershire and Wiltshire. Brian Hope-Taylor's excavations on the Devil's Dyke (Cambridgeshire) in 1973 uncovered the burial of a male aged 20–30 whose right hand had been removed before burial, apparently in a surgical fashion (Hope-Taylor 1975–6, 124). The burial lay at the meeting point of the boundaries of three parishes (Burwell, Newmarket, and Swaffham Prior). The body lay in the upper fills of the ditch of the earthwork, sealed by a layer containing sherds broadly datable to the period AD 1000–1200, while radiocarbon dating provided a determination of AD

1190–1300 at 2 sigma (BM-966). The association of an isolated amputee with a linear earthwork finds parallels with the location of certain execution cemeteries considered in Chapter 4.

A remarkable documented example is recorded in thirteenth-century manorial records for Monks Eleigh (Suffolk), where an inquest of *c.*1285 was required to establish where ‘the damned’ (*dampnati*) should be buried. The report records twelve men swearing on oath that the place is where a certain William Fant (a suicide) was earlier buried, and where a woman and her cow were burnt in a ditch for transgressing (J. Weller, pers. comm. 1999; Christ Church Canterbury Reg. E, fos. 387r, v). The site lies on the edge of the demesne woodland of the manor of Eleigh, also the boundary between Monks Eleigh and Lindsey parishes, and equally significantly, of the Domesday hundreds of Babergh and Cosford.

Ultimately, the practice of burying individuals on estate boundaries is well evidenced by the post-medieval period (Halliday 1996). The process is dramatically documented at Alton Barnes (Wiltshire) when, in 1665, a certain Henry Apes, who was under 20 years old, hanged himself in a barn (Rickard 1957, 8–9). ‘Hee was buryed between the two parishes of Staunton (Stanton St Bernard) and Alton Barnes, with two stakes thrust through him. Mr Budd would not suffer him to bee buryed in the churchyard nor is hee enterd into the booke of burials’ (ibid.). One wonders if the unfortunate lad was buried in or near the heathen burial place recorded on the boundary between the two parishes in the tenth century (53)/(60). The burial of a disabled man aged 30–45 on a hilltop at Old Alresford, Hampshire, far from consecrated ground and *c.*400m north-west of the nearest parish boundary, presents a further example of deviant burial practice beyond the Reformation (Fitzpatrick and Laidlaw 2001). The man was seemingly buried fully clothed, and with a purse of heavily worn later sixteenth-century coins suggesting deposition in the seventeenth century. The grave was shallow and made on the site of a Roman villa. The presence of the coins probably rules out murder as an explanation (although see the Avebury ‘Barber Surgeon’ discussed in Chapter 2). The reason for the burial is unknown, but a superstitious motive is possible, given the location, and perhaps the mode of burial is related to the man’s disability.

To return to the issue of the antiquity of land units, it is perhaps significant that several of the seventh-century isolates are found on boundaries that by the time of the Domesday Survey are those of hundreds. While the burials that have been dated by radiocarbon fall chronologically into the seventh and eighth centuries and the tenth, eleventh, and later centuries respectively, there are good grounds for seeing this as a reflection of an actual process. The earliest deviants echo the diversity and experimentation of seventh- and early eighth-century burial customs, while the development of execution cemeteries from that period soon provided a repository for outcast burials, thus accounting for the scarcity of isolated deviant burials until the late Anglo-Saxon period. The

later isolates attested by archaeology are frequently found in relation to both estate and hundred boundaries. The named individuals in charter bounds of the tenth and eleventh centuries follow a similar pattern, and arguably relate to more local reactions to unusual circumstances than the early examples that suggest centralized banishment to the margins of comparatively large territories. Certainly, the documented medieval and later boundary burials noted above appear determined by local custom rather than ecclesiastical prescription or secular law beyond a general desire for exclusion from consecrated cemeteries evidenced from the tenth century.

INDIVIDUAL BURIALS FROM SETTLEMENT SITES

In many ways this class of burial can be considered as a further type of boundary interment, as most known examples have been found either within or immediately adjacent to boundary features on settlement sites. In contrast to the isolates found on administrative boundaries, however, there is frequently little to indicate that these burials are of deviants (with the exception of the examples discussed in Chapter 2 under 'Murder' and 'Massacre'). A seventh- to ninth-century date is evident for many of these burials, and their existence is yet further evidence for the relatively unregulated nature of burial prior to the late ninth century. Individual burials from settlement sites might be better interpreted as founder burials where they can be shown on stratigraphic grounds to be primary deposits, but at the very least as people who either chose not to be interred in either field or minster cemeteries or whose relatives took such a course.

Examples are known from a series of settlement excavations, extending geographically from south-western England through to eastern and northern England. While individual burials are known from Early Anglo-Saxon settlements (Hamerow 2006), those of Middle Anglo-Saxon and later date provide an interesting sidelight on attitudes to burial within the Christian period. Human remains from settlements include body parts as well as complete burials, such as the intriguing human-skull mask from Baston (Lincolnshire), of ninth- to twelfth-century date, a skull fragment from a domestic rubbish deposit at Catholme (Staffordshire), and the human skull recovered from a pit at Cottam (East Yorkshire), the latter with a radiocarbon determination suggesting a later seventh- or eighth-century date (Jarvis 1993, 61; Losco-Bradley and Kinsley 2002, 40; Richards 1999, 92–3).

At Catholme, two further human burials were found in direct association with entrances to Middle Anglo-Saxon enclosures (Burials 3617 and 3666), while at Poundbury (Dorset) burial 1188 had been made on the north-east side of the late sixth-century enclosure PR13 (Losco-Bradley and Kinsley 2002, 40–1; Sparey-Green 1987, 89). At Yarnton (Oxfordshire) three burials

were found in enclosure ditches associated with the ninth-century settlement, including one prone burial (3842) with the legs folded backwards which lay above the partial remains (skulls) of four sub-adults (Hey 2004, 163). A small community cemetery lay a short distance to the west of the settlement, and it appears that the prone burial lay in a shallow scoop cut into the partially infilled enclosure ditch, suggesting concealment and foul play. Otherwise, the Yarnton non-cemetery burials compare well with those noted above. Elsewhere, careful human burials are known in association with boundary features at Cheddar, Little Paxton, and West Stow, among others (Rahtz 1979, 96; Addyman 1969; West 1985, 58–9). Overall, the relationship between burial and settlement and the occurrence of human remains in domestic contexts from the seventh to the ninth centuries requires comprehensive reassessment which lies outside the scope of this book.

EXECUTION CEMETERIES

The development of execution cemeteries from the late seventh and eighth centuries is of fundamental importance for our understanding of the origins and effectiveness of early kingship and of the development of the boundaries of local territories. Chapter 4 showed a clear relationship between execution sites founded in the later seventh and eighth centuries and the boundaries of later Domesday hundreds, as at Cambridge, Sutton Hoo, and Walkington Wold. Were hundred boundaries drawn up in the Late Anglo-Saxon period to take in execution cemeteries because they would have been such significant features of the landscape? It is more likely that hundred boundaries had an earlier territorial significance; the observed relationship is surely more than coincidence. While these examples do not prove that *regiones* became hundreds, they are strongly suggestive. How far this suggestion can be projected elsewhere in England remains to be examined.

Charter bounds have an important contribution to make, as they provide both an indication of the contemporary terminology of execution sites and a chronological perspective independent of the excavated sites. The range of terms in boundary clauses is broad, with some terms occurring more commonly than others (App. 4). The term ‘heathen burials’ is by far the most frequent term, and deserves detailed consideration.

In an extended treatment of his 1966 paper on burials and boundaries, Bonney incorporated references to ‘heathen burials’ in Wiltshire charters into his analysis in order to strengthen his claim (Bonney 1976), assuming that they referred to the memory of pagan Anglo-Saxon burials, a view stated by virtually all other commentators (Gelling 1988, 157; Myres 1986, 38, n. 2; Grinsell 1991, 51). Despite the broad definition of the word ‘heathen’ itself as ‘a person who does not belong to a widely held religion’, ‘an unenlightened

person; a person regarded as lacking culture or moral principles', in our case it seems probable that the term refers to the perceived status of the burial site itself, denoting a clear distinction between consecrated and unconsecrated burial grounds (Thompson 1995, 627; Reynolds 2002, 172, n. 9, incorporating comments by Audrey Meaney).

Donald Bullough suggests that 'heathen burials ... seem to be predominantly barrows', based upon the small handful of *possible* associations between 'heathen burials' and tumuli, although G. B. Grundy was adamant that 'in no traceable instance are they associated with a tumulus of any kind', and the most recent study could only identify three such possibilities (Bullough 1983, 198; Grundy 1933, 49; Grinsell 1991, 51). Further explanations have been offered. H. C. Brentnall suggested that a tradition, recorded at least by the eighteenth century, of 'heathen burials' at Seagry (Wiltshire) was related to the finding of prehistoric material, while T. R. Thompson suggested that the 'heathen burial' in the eleventh-century bounds of Little Hinton (Wiltshire)(71) recorded the location of a fight (Brentnall 1950, 373–4; Thompson 1959, 210).

Fred Aldsworth, however, in his discussion of the Early Anglo-Saxon cemetery at Droxford (Hampshire), concluded that 'heathen burial' sites referred to graves or cemeteries for capital offenders and others prohibited from Christian burial, a suggestion he had already made with regard to the isolated burial from Singleton (West Sussex) noted above (Aldsworth 1979, 176).

Altogether, there are fifty-one references in boundary clauses to 'heathen burials', either in the singular or plural, which amount to thirty-nine individual sites, with a strong concentration in central southern England (Fig. 65). The term is concentrated in central Wessex, with the majority of examples to be found in Berkshire, Hampshire, and Wiltshire. There are three examples from Northamptonshire, two each from Gloucestershire, Oxfordshire, and Worcestershire, and one each from Buckinghamshire, Dorset, and Staffordshire. The lack of examples from Worcestershire and Somerset respectively is of interest. Only one example possibly pre-dates 900 (31), while of the securely dated instances 77 per cent fall within the years 931 and 973 × 74, with 41 per cent datable to between 951 and 961. The latest securely dated instance is of 1046 (70). A number of heathen burials are apparently situated upon linear earthworks, or at least ditches: (30)/(40), (42), (44)/(45), (56), (62), and (64). The term 'heathen' also occurs in two further sets of bounds relating to barrows, classic features of excavated execution sites. Bounds for Bengeworth (Worcestershire)(26) and Drayton (Hampshire)(27) are dated 1003 and 1019 respectively. While (27) lacks a solution, (26) lies on a hundred boundary and within 2 km of another heathen burial.

It is argued that these sites purport to describe places of execution and burial of executed offenders and other social outcasts. Patrick Wormald, who has analysed the dating of charters where boundary clauses record 'heathen burials', notes that the earliest reliable example is dated 903 (32)(Wormald,

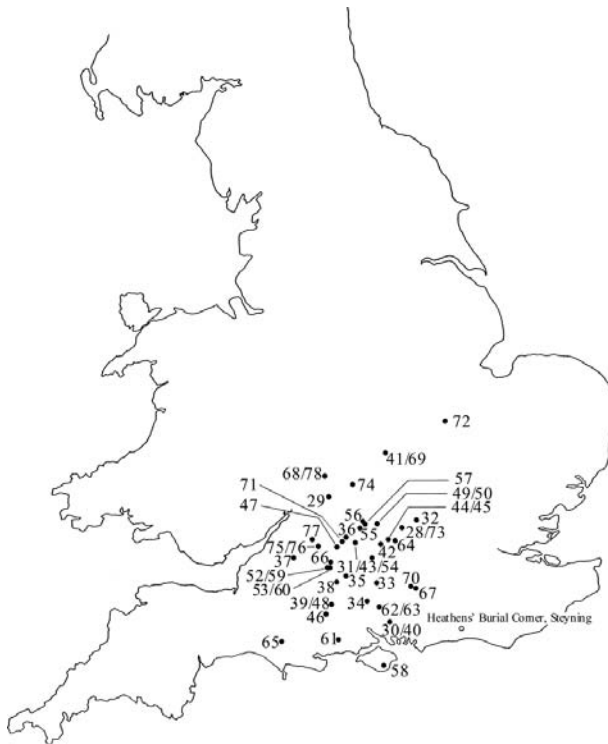


Fig. 65. Distribution of heathen burials in Anglo-Saxon charter bounds: 28 Pyrton, 29 Hawling, 30 Droxford, 31 *Æscesbyrig*, 32 Risborough, 33 Overton, 34 Crawley, 35 Collingbourne Kingston, 36 Watchfield, 37 Cold Ashton, 38 Enford, 39 Burcombe, 40 Droxford, 41 Badby, 42 Blewbury, 43 *Æscesbyrig*, 44 Brightwell, 45 Brightwell, 46 Chalke, 47 *Ellendune*, 48 Wilton, 49 Bayworth, 50 Abingdon, 51 *Wudetune*, 52 Stanton St Bernard, 53 Stanton St Bernard, 54 *Æscesbyrig*, 55 Cern, 56 Longworth, 57 Longworth, 58 Bathingbourne, 59 Stanton St. Bernard, 60 Stanton St. Bernard, 61 Ringwood, 62 Easton, 63 Avington, 64 Newnham Murren, 65 Up Piddle, 66 Kennet, 67 Crondall, 68 Bengeworth, 69 Newnham, 70 Hoddington, 71 Little Hinton, 72 Oundle, 73 Pyrton, 74 Shipston-on-Stour, 75 Dauntsey, 76 Dauntsey, 77 Rodbourne, 78 Twyford in Norton-and-Lenchwick. Note: numbers refer to catalogue entries in Appendix 4.

forthcoming). The absence of concrete instances before this date further increases the likelihood of a Late Anglo-Saxon context for these sites as opposed to the memory of pagan cemeteries, whereas the landscape context of the locatable examples (all but two) provides further confirmation of their special character. There is only one modern place-name certainly derived from OE ‘heathen burials’ and, remarkably, archaeology appears to confirm the interpretation argued here. A recent small-scale excavation at Heathens’ Burial Corner, Steyning (Sussex), revealed two skeletons interred without objects with heads to the south-south-east. Radiocarbon determinations from both skeletons (cal. AD 981–1025 and 981–1023 at 1 sigma and cal. AD 896–1155 and 897–1151 at 2 sigma) only serve to confirm the hypothesis presented here

(AA-38009 and AA-38010). Additionally, the Steyning burials are situated on the boundary between Steyning and Bramber parishes, beside a major early highway 500m to the west of the boundary between Steyning and Burbeach hundreds. The earliest recorded forms of the Steyning 'heathen burials' date to 1279 and 1288, while the location maintained a judicial significance into the later middle ages as it was the location for the Sherrif's Tourn for the Rape of Bramber, at least in 1384 (Gelling 1988, 157; TNA PRO JUST 3/216 m186).

Of the thirty-seven locatable 'heathen burials' in charter bounds, twenty-three lie on the boundaries of Domesday hundreds, with fourteen upon estate boundaries, which are not also those of hundreds. The significance of this observation lies in the self-contained nature of the hundredal unit with regard to its judicial affairs. The physical limits of such territories provided a fitting repository for those who were precluded by law from burial in consecrated ground, and of twenty-seven excavated execution cemeteries considered in Chapter 4 all but three are located upon either borough, hundred, or county boundaries. Closer analysis of the charter material strengthens the view that hundred boundaries were preferred in the case of the 'heathen burials'. In Hampshire, for example, all seven instances are so located. A smaller number of examples also conform to this pattern in Buckinghamshire (one out of one), Gloucestershire (two out of two), and Worcestershire (two out of two). In Berkshire the figure is five out of eight instances, although the two distinct instances recorded in the bounds of Longworth (29) and (30), one on a hundred boundary, the other not, could feasibly represent a process of relocation due to reworking of hundred boundaries.

Heathen burials can now be argued on the basis of location and archaeological evidence to refer not to pagan burial grounds, but to later Anglo-Saxon isolated outcast burials and judicial execution cemeteries, fittingly described using appropriate contemporary terminology. A range of further terms can also be proposed as relating to execution cemeteries, in some cases explicitly, in others less so, for example, locations perceived to be associated with theft or wrongdoing. All examples of charter terms are listed in Appendix 4.

One of the most unambiguous terms to describe a place of execution is *cwealmstow*, 'killing place', and a judicial context is not in doubt. Three examples are known, with a broad distribution: two examples from central Wessex and one from central eastern England. The term appears to have been rare, although long-lived, as the earliest example from the Chilcomb (Hampshire)(1) bounds of 909 is described as 'old'. The latest example, in the Little Hinton (Wiltshire)(3) bounds, is of the mid-eleventh century and marks a significant contribution towards an understanding of the heathen burials phenomena, as the execution site lies some 60m to the east of the heathen burials in the same bounds (Thompson 1959, 211, fig. 2; see heathen burial 71 below); (1) lies within 3 km of heathen burial (34). The Fen Stanton

(Huntingdonshire)(2) example lies on the county boundary, and it is possible to argue that the Little Hinton complex of *cwealmstow* and heathen burials was once similarly located, as only the narrow strip parish of Bishopstone separates the two boundary marks from the county boundary with Berkshire. Both (2) and (3) are adjacent to important routeways, a major Roman road and the Icknield Way respectively.

References to *gabuli/gealga* (meaning 'gallows' in Latin and OE respectively) are surprisingly few, considering that the terms describe the machinery of execution in the most literal sense. The two terms are direct Latin and OE equivalents. Two *gabuli* and one *gealga* are known, with the location of only one of the former known. The distribution of locatable examples is broad, with one from central Wessex (4) and one from the east Midlands (6). The dating is broad, with the earliest (4) from an authentic charter of 778, with characteristic Latin bounds, and the latest (7) from a charter dated 985.

Associations of the two Latin terms are of interest, as both may have lain in proximity to places of earlier pagan religious significance. The 'ancient monuments' or holly stumps and the *gabuli* of (4) lie in the vicinity of a Harrow Farm, a suggested *hearg*, or pagan temple (Young 1926, 525; Gover, Mawer, and Stenton 1939, p. xli), while the *gabul dene* of (5) is succeeded by *stapolas*, or pillars, the possible pagan religious significance of which has only recently been realized (Blair 1995, 19–20; Meaney 1995, 35–6). Sites (4), (6), and (7) lie on hundred boundaries, while (4) and (6) are associated with routes of communication. It is of no small significance that the *gabuli* of the 778 Little Bedwyn bounds lay on what was to become the northern boundary of the Domesday hundred of Kinwardstone. The *gahltreowe* of (6) is worthy of note as OE *treow* (tree) suggests the use of trees and not purpose-built gallows, although the term might well be used to describe the latter.

Hangian can only be taken to signify a place of execution when found in association with a more explicit term. Two examples are known, both located upon hundred boundaries, one in central Wessex (8) and one in the North Midlands (9), dated 948 and 1012 respectively, although the latter example is potentially based on an authentic charter of 1008 (for Rolleston, Staffordshire) that describes essentially the same estate also with an execution site in its bounds (Sawyer 1979, 69; see *þeofa* (92) below). Hart sees the two Staffordshire estates as separate parcels of land with two separate execution sites a mile apart, accepting that the Wetmoor bounds are based upon those of Rolleston (Hart 1975, 218, 239). The terminology of the Rolleston bounds, however, literally describes a place of burial, and the two sites may indeed have been separate entities but complementary in function.

The *heafod stoccan*, 'head-stakes', are the second largest group of terms (after the heathen burials) with a possible judicial context. As noted in Chapter 1, the most common explanation is that such features represent the boundaries of ploughlands, an interpretation which can be questioned on the basis of the

coincidence of the three instances in separate sets of bounds (10), (11), and (19) with the excavated execution cemetery at Old Dairy Cottage (Hampshire)(see Ch. 4). While Peter Kitson has suggested that *heafod stoccan* refer to groups of tree-stumps pollarded at head-height (Kitson 1995, 96), the relative scarcity of the term suggests that this interpretation is equally untenable, as pollards would surely have been a common feature of the Anglo-Saxon landscape. Kitson further suggests that references to *heafod stoccan* are limited geographically as a function of regionally specific dialect (ibid. 95–7). The suggestion made by P. H. Reaney (1960, 158) that *heafod stocc* refer to places where the heads of criminals were displayed, is arguably more acceptable, although the term may have had a range of applications. Archaeology provides ample support for the public display of heads at execution cemeteries.

There are a total of thirteen separate examples recorded in sixteen sets of bounds. In comparison to the other terms so far considered, the distribution is limited, with the majority of instances occurring in Berkshire, Hampshire, and Wiltshire. There are outliers in Gloucestershire, Oxfordshire, and Somerset, although none of these lies at any distance from the main concentrations. The earliest example is from a charter dated 854, and the latest of the mid-eleventh century, although 50 per cent are dated between 955 and 968. Earthworks associated with *heafod stocc* are of linear type. Although there are no instances in direct association with more explicit terms, there are examples that lie within a short distance of them; for example, (18) and (21) lie within 2.5 km of heathen burials.

Murder, OE *morþ*, occurs in the bounds of three estates, in south-east Somerset (79), south Wiltshire (80), and south Warwickshire (81). The date range is narrow and runs from 938 to 969, and the term appears to have been rare. Two instances have topographical associations characteristic of excavated execution sites: (79) with a linear earthwork and (81) with a barrow; while all are sited on hundred boundaries. While there are no associations with other marks of judicial significance, the *ful*, or ‘foul’ pit, succeeding the *morþhlau* of (81), might refer to a place where executed felons were buried, as an alternative, or in addition to, the barrow mound.

There are two examples of OE *sceacere*, ‘robber’, in bounds, although little of significance can be said beyond the fact that (82) is the only Essex term in the catalogue. The dating is eleventh century in both cases, and the names appear to describe locations where crimes occurred as opposed to places of execution.

Eleven separate instances of OE *þeof*, ‘thief’, occur in twelve sets of bounds. The distribution is peculiar and the marks describe a line running north from Ringwood (Hampshire)(87) to Rolleston and Wetmoor (Staffordshire)(92)/(93)(Fig. 66). Outliers to this distribution can be found at Meon (Hampshire (88) and in the unsolved bounds of Stoke near Ipswich (Suffolk)(90); Hart 1966, 59). Securely dated instances are bracketed between 852



Fig. 66. Distribution of OE *þeof* 'thief' in Anglo-Saxon charter bounds: 84 Stoke Prior, 85 Calmsden, 86 Langley, 87 Ringwood, 88 Meon, 89 Bickmarsh and Ullington, 90 Stoke, 91 Wyle, 92 Rolleston, 93 Wetmoor, 94 Hawling, 95 Twyford in Norton and Lenchwick. Note: numbers refer to catalogue entries in Appendix 4.

(85) and 1008 (92). A high proportion (70 per cent) is located upon hundred boundaries, while the majority of examples are prefixes to topographical terms. Valleys are described in (85), (87), (88), (94), and (95); springs or other watercourses in (86), (90), and (91). The latter examples might be explained as places where drowning, or perhaps cold-water ordeals, took place, although the overall impression is that the term largely refers to places associated with robbery. The *teoue lege*, or 'thieves' wood', of (84) is preceded by a 'crucifix oak', while there is no doubt about the location described as *þær ða þeofes licgan/hangað* in the bounds of Rolleston and Wetmoor.

There are nine discrete instances of *wearg* in thirteen sets of bounds. The distribution is even and broad across southern England (Fig. 67). The earliest example dates to 891 (96), the latest securely dated instance is of 1046 (106). Of the locatable examples, 82 per cent lie on hundred boundaries. The commonest association is with *rōd*, as seen in (96), (98)/(102), (99)/(100), and (105), while association with a tree is recorded in (107). In (97)/(108) the term describes a hill, and in (103) the term is applied to a barrow, although barrows precede and succeed (97)/(108) and mounds may have been



Fig. 67. Distribution of OE *wearg* 'wrongdoer' in Anglo-Saxon charter bounds: 96 Buckland Newton, 97 Badby, 98 Bleadon, 99 Stanton St Bernard, 100 Stanton St Bernard, 101 Crondall, 102 Bleadon, 103 Littlebrook, 104 Little Haseley, 105 Tyburn, 106 Hoddington, 107 Childs Wickham, 108 Badby. Note: numbers refer to catalogue entries in Appendix 4.

the focus for these sites. The remaining instances, (101), (104), and (106), refer to watercourses and are best interpreted in the same manner as the *þeof* terms with such associations. A recent commentator on the interpretation of the word *wearg* has proposed that the term means 'wolf', by way of an analysis of topographical characteristics (Hough 1994–5). Hough's argument is based on her observation that Anglo-Saxon watercourses are frequently named after animals, and in this context there may be cases where her interpretation is valid. The term is, however, encountered in charter boundaries in a clearly judicial context, although it is acknowledged that there is potential for interchangeability.

There are several miscellaneous references in charter bounds that require consideration. The *ceorl's* barrow in the Downton (Wiltshire)(130) bounds is an unusual description of a mound, and could be seen as an apt description of a place where felons were buried, although the naming of assembly mounds elsewhere provides exact parallels and a moot is equally likely (Reynolds 2005*b*, 172–4). The 'place where the *ceorl* was slain' in the bounds of

Chalke (Wiltshire)(131) explicitly describes a place of execution and perhaps an instance of an individual caught in the act and summarily executed. Nevertheless, the site lies on the county boundary. The 'place where the *cnihtas*, or "lads", lie' in the Witney (Oxfordshire)(132) bounds presents particular problems of interpretation. Margaret Gelling, who has studied the bounds in detail, has concluded that the *cnihtas* could plausibly be related to the group of predominantly male burials (one was female), four of which showed pathological signs of injury, found in the excavations at Shakenoak villa (Gelling 1972, 134–40). The burials lay some 200m from the boundary itself, but this presented no problem to Gelling, who saw the phrase as an incidental piece of local information incorporated into the boundary clause (ibid. 136). John Blair views the burials as possibly those of an Early Anglo-Saxon warband, while Patrick Wormald has noted that the *cnihtas* are not recorded in an earlier set of bounds of 969 (S771) (Blair 1994, 17–18; Wormald, forthcoming). The careful treatment of the burials and the presence of slab lining in several graves (Brodribb, Hands, and Walker 1973, 34–5, fig. 17) does not suggest the burials of outcasts, and it is not unreasonable to suggest that the burials found in the Shakenoak excavations are unrelated to those mentioned in the bounds. Such a view leaves open the possibility that the *cnihtas* are outcast burials of the Late Anglo-Saxon period.

Execution cemeteries evidently functioned as a distinct class of cemetery into the twelfth century, as at Staines and Sutton Hoo, their demise coinciding with the rise of monastic hospital cemeteries and institutional prisons from that period (see Ch. 6).

MINSTER CEMETERIES

Minster churches provided a further context for burial after the Conversion. John Blair's substantial review and analysis of the chronology of burial in cemeteries associated with minsters notes how: 'In 650, lay burial in church or churchyard was exceptional; by 850, it was starting to become the norm' (Blair 2005, 228). The prevailing view is now that the minsters provided not for the burial of all within their *parochiae* but for select patrons (ibid. 228–9), with burial for lower-status rural-dwellers occurring in field cemeteries (see below). While elaborate burial rites are common at minsters from the ninth to the twelfth centuries, including charcoal burial, interment in wooden chests and coffins, and the provision of stone grave-covers and markers among other modes, geographical expression of status evidently remained important, as demonstrated particularly clearly by the disposition of burials at the tenth- to eleventh-century cathedral cemetery at North Elmham (Norfolk)(Wade-Martins 1980). Here the main cluster of interments, including

many intercutting graves, was made close to the church itself, while the graves are considerably less dense at the periphery of the cemetery as defined by a boundary ditch (Fig. 68). Of particular interest are burials 171 and 10, with the former lying on the line of the cemetery boundary, although whether the boundary pre-dates the burial is unclear, but likely. Burial 10 lay without the defined cemetery space. Both inhumations were of males, and exhibited evidence that helps to explain their peculiar treatment. The male in Grave 171 had evidently been murdered, judging by his injury patterns, cuts to the head and neck, while Burial 10 was that of a disabled individual with a chronically distorted left knee, who was interred with the head to the east in contrast to normal Christian practice. A further notable feature of the North Elmham cemetery is that both grave-markers and elaborate burial rites are absent, yet status is clearly reflected in the micro-geography of the interments.

FIELD CEMETERIES

Field cemeteries of Middle and Late Anglo-Saxon date are a recently identified class of burial site. They comprise apparently unbounded churchless cemeteries of varying size, and they have been found both in apparent isolation from settlement remains, for example at Milton Keynes (Buckinghamshire), and also within settlements as at Shepperton Green (Middlesex) and Gamlingay (Cambridgeshire) (Parkhouse, Roseff, and Short 1996; Canham 1979; Gibson with Murray 2003). They appear to date largely to the seventh-to-eleventh centuries, and to have represented the normal mode of burial for lower-status individuals prior to the widespread development of parish churches between the late ninth and twelfth centuries. John Blair has argued on the basis of the tenurial relationship between the field cemetery at Chimney and the minster church at Bampton (Oxfordshire) that field cemeteries operated under the authority of minsters (Blair 2005, 238–40). It is equally possible, however, that they represent a form of autonomous community burial ground identical to those in use in the Early Anglo-Saxon period, but without the presence of furnished graves after *c.*720, with the exception of occasional knives. A major issue is that the terminal dates of the so-called Final Phase cemeteries are determined by the latest datable artefacts, whereas such cemeteries normally include a high proportion of unfurnished graves and they may in fact extend well into the eighth century if not later in some instances (Lucy and Reynolds 2002, 4). An understanding of the relationship of cemeteries to settlements is crucial here, and is all too often ignored in the debate about changing patterns of burial throughout the Anglo-Saxon period. The term *byrgels* without the ‘heathen’ prefix found in a few sets of charter bounds might record the positions of former field cemeteries.

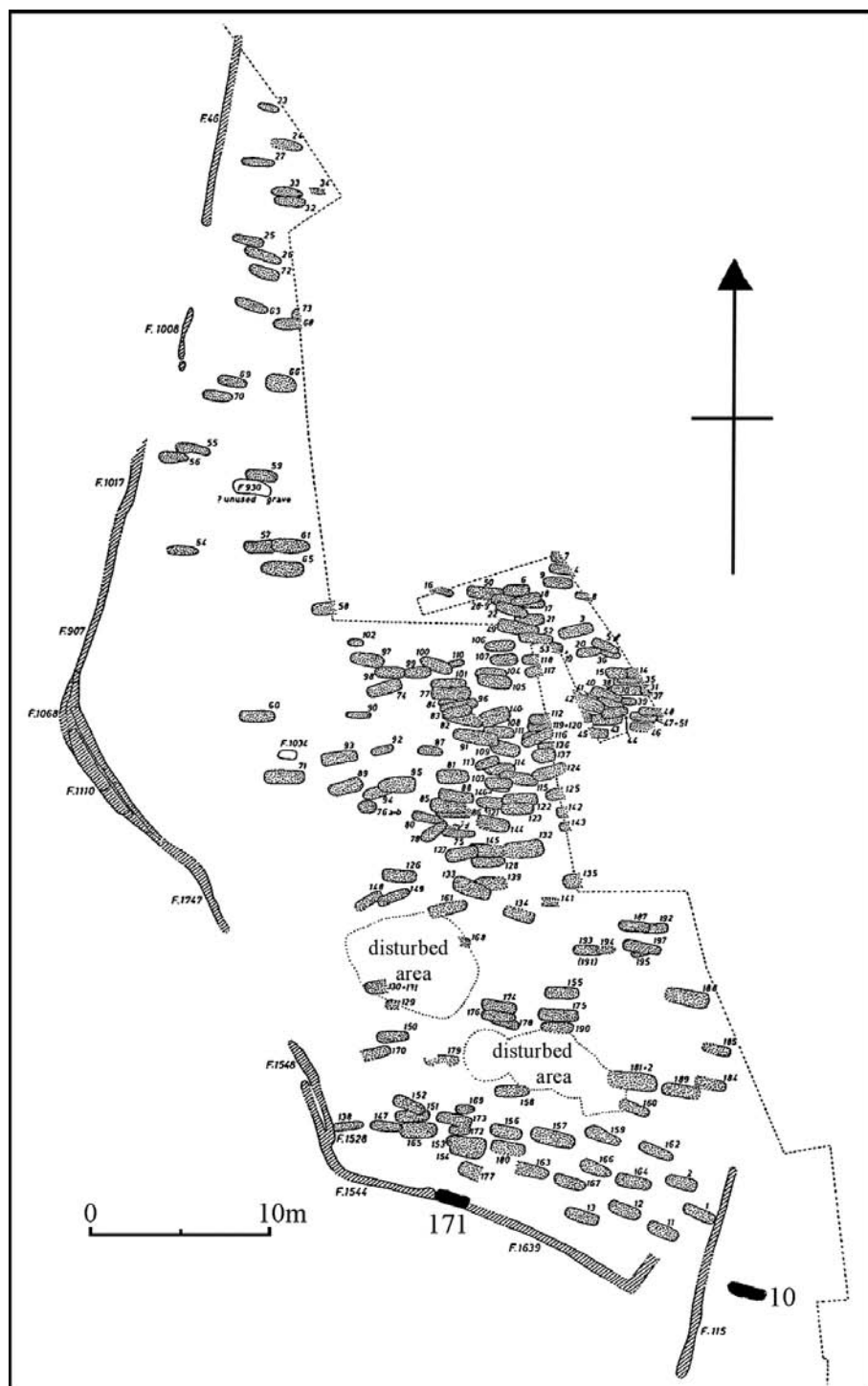


Fig. 68. Plan of the late Anglo-Saxon cathedral cemetery at North Elmham, Norfolk. Note the location of Burials 10 and 171. (After Wade-Martins 1980, fig. 158. Copyright Norfolk Historic Environment (NMA))

The interpretation of boundary marks termed simply '*byrgels(as)*' is limited by the paucity of examples (six sites), but some suggestions can be advanced. Victoria Thompson notes how the term is only ever used negatively in Ælfric's late tenth- and early eleventh-century writings (Thompson 2004, 106). Examples are widespread, with two from Wiltshire, two from Berkshire, and one each from Hampshire and Sussex. The location of four out of the six instances is known, with that from Blewbury (Oxfordshire)(128) located on the Ridgeway, from Chieveley (Berkshire)(129) at a confluence of major routes, and the other two sites, at Stanton St Bernard (Wiltshire)(125) and Burghclere (Hampshire)(127), located on open downland. Sites (127), (128), and (129) lie on the boundaries of hundreds, whilst (125) lies upon an estate boundary.

It is possible that a range of burial sites is being described in the charters, and an indication of this is perhaps provided by the successive sets of bounds for Stanton St Bernard in Wiltshire. The earliest set, of 903, records 'burials' (125), whereas they had become 'heathen' by the time the second of three sets of bounds had been drawn up in 957 (52). Either the status of the burial site changed between 903 and 957 or the language of recording had become more specific.

The positioning of the documented field cemeteries within the landscape of the Later Anglo-Saxon period might suggest that they are relics of an earlier pattern of settlement, incorporated into boundary clauses during landscape reorganization and the origins and growth of the local manorial system in England. Michael Costen (1994) has shown that settlements could be found on the boundaries of Anglo-Saxon estates through his study of settlement and agricultural terms in the Wessex charters. Whilst shepherds and certain other estate workers were likely to require seasonal or occasional accommodation away from principal settlements, it seems unlikely that such loci would attract, let alone require, a burial plot.

What is clear is that none of the burial sites of this class became churchyard cemeteries, and they are seemingly unconnected to the religious geography of the post-Conquest period. It is possible, or even probable, that such field cemeteries continued in use until a parish church and cemetery was established. In a comparative discussion of field cemeteries in medieval Ireland and England, Susan Leigh Fry has collated a body of documentary evidence which indicates that field cemeteries were a feature of both places into the late middle ages (Leigh Fry 1999, 43–7).

PARISH CHURCH CEMETERIES

The establishment of parish church cemeteries in the English landscape is now widely understood to have happened over an extended period, from the later

ninth to the twelfth centuries (Lucy and Reynolds 2002, 20–1; Blair 2005). It is not intended to explore parish cemeteries in any detail, but to note them here as a yet further addition to the burial geography of the later Anglo-Saxon period. The flourishing of parish cemeteries has been read as one of the aspects of the declining status of the minsters (Blair 2005, 367), yet burial practice at the minsters during the period of parish church foundation becomes, if anything, much more elaborate, suggesting not so much a decline of the minsters but a redefinition of their role as places of burial. Indeed, the patrons of minsters may have reacted against the rise of the thegnly class by emphasizing their status through burial practice in a more ostentatious way. As Gittos (2002) has shown, written sources only begin to express concern about the consecration of cemeteries from the early tenth century, and it seems clear that by this time there was a need on the part of the church to regulate what can only have been a remarkably varied landscape of burial traditions. The archaeology of parish church cemeteries allows for an assessment of the physical outcome of a documented process of cemetery consecration, and a number of sites have revealed evidence for the development of enclosed burial grounds from the tenth century, for example, Raunds Furnells (Northamptonshire), Rivenhall (Essex), and Portchester Castle (Hampshire) (Boddington 1996; Rodwell and Rodwell 1985; Cunliffe 1976). As we have seen, deviant burials are exceptionally rare from churchyard cemeteries, and unique circumstances probably applied to each of them.

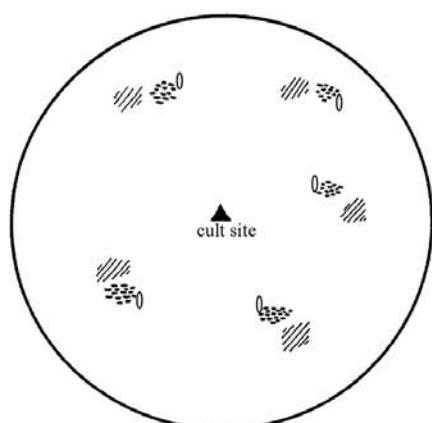
CHRONOLOGICAL SUMMARY AND DISCUSSION (FIG. 69)

The development of spatial expressions of status in the burial repertoire of Anglo-Saxon England has only recently been recognized, beyond the study of the high-status barrow burials of the later sixth and seventh centuries. The periodization offered below is concerned mainly with aspects of deviant burial, yet necessarily refers to the full range of burial types and locales evidenced for the period. John Blair's (2005) review should be referenced for the finer points of non-deviant burial.

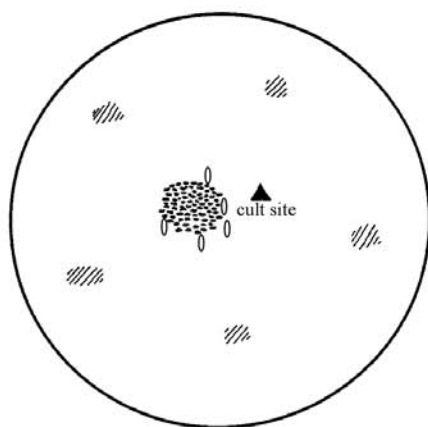
Period 1: fifth and sixth centuries

During the fifth and sixth centuries there is little evidence of the burial of outcasts separately from community cemeteries, nor for demarcated territories. Cemeteries are commonly found either adjacent to or nearby settlements. Careful analysis of community cemeteries of this period, however, reveals a geographically widespread application of deviant burial at the edge of cemeteries and at the limits of clusters of graves usually interpreted as family plots. There is widespread use of distinctive burial rites for outcasts, including prone burial, decapitation, stoning, and amputation, with regional variation.

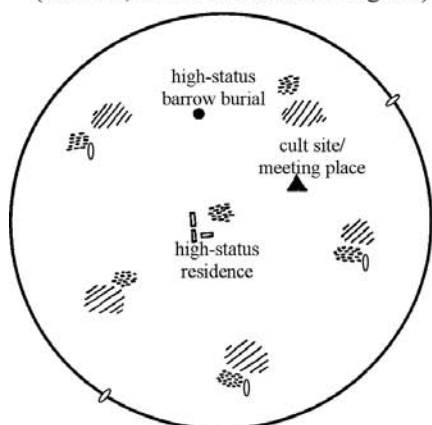
 settlement
  cemetery
  deviant burial



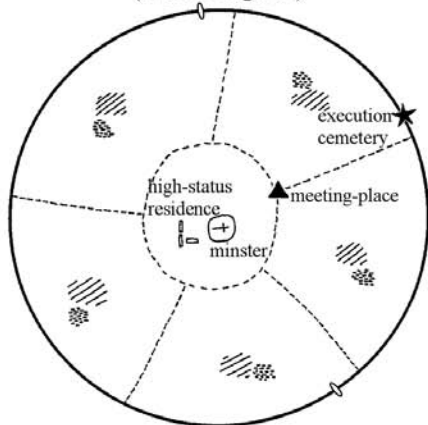
Period 1 – 5th to 6th centuries
(northern, central and southern England)



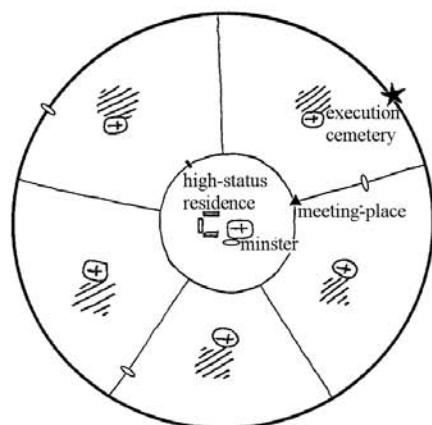
Period 1 – 5th to 6th centuries
(eastern England)



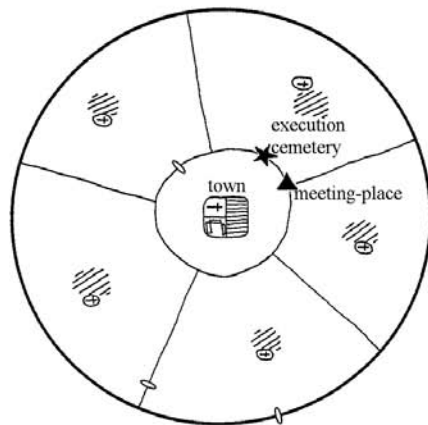
Period 2 – late 6th to 7th centuries



Period 3 – 7th to 8th centuries



Period 4 – 9th to 12th centuries
(rural)



Period 4 – 9th to 12th centuries
(urban)

Fig. 69. Models for the development of burial geography during the Anglo-Saxon period: Periods 1–4.

Settlements of this period display little evidence for social regulation or formal planning.

Period 2: later sixth to seventh century

During the period of the Conversion to Christianity and the emergence of kingdoms and *regio*-scale units, isolated high-status interments in barrows and deviant burials appear in the landscape. Isolated deviant burials are known on boundaries that are of hundredal status by the eleventh century, and can be associated with routeways. There is continuity of the concept of communal field cemeteries within and without settlements, including the so-called Final Phase cemeteries. Individual burials, apparently not of deviant type, begin to occur in settlements, normally associated with enclosure ditches. Deviant burial rites of Period 2 are found in isolated burials and Final Phase cemeteries.

Period 3: seventh to ninth centuries

Minster cemeteries become established in the landscape and are largely used by elite groups. There is potential continuity of Final Phase cemeteries and establishment of new field cemeteries as settlement patterns are consolidated along with kingdoms. Formal judicial execution cemeteries are founded at the limits of demarcated administrative territories. Isolated interments are increasingly found at settlements, and there is initial continuity of isolated deviants on major territorial boundaries, although there is little evidence for this practice by the ninth century. Both execution cemeteries and isolated individuals may have represented among them a significant proportion of non-executed people.

Period 4: ninth to twelfth centuries

Parish churches and churchyards develop across the English landscape, and field cemeteries become less common as this network expands. Execution cemeteries are widespread and explicitly related to hundredal geography. Local responses to individual outcasts, perhaps suicides or dispossessed thegns executed for capital offences, react to the new geography of self-contained estates resulting from, perhaps Middle Anglo-Saxon, estate fragmentation. Both archaeology and charter evidence (named individual burials) attest this process, which includes the development of crossroads burial. Burial rites become more elaborate, particularly at minsters, while deviant modes of burial are found almost exclusively at execution cemeteries. A few examples of deviant burial rites are found in lesser estate churchyards.

Period 5: twelfth to mid-sixteenth century

Monastic hospitals and institutional prisons become widespread in the English landscape, and begin to take on the role of execution cemeteries by burying

executed criminals, although this may also occur in exceptional cases in parish cemeteries (St Margaret in Combusto, Norwich). Deviant burials at the boundaries of estates continue beyond the Reformation, thus representing the longest-running mode of outcast burial determined at a local rather than central level.

In summary, the work of Blair, Hadley, and Cherryson, in particular, has emphasized the continually evolving and wide-ranging nature of burial during the Christian Anglo-Saxon period (Blair 2005; Hadley 2002; Cherryson 2006). One major realization to emerge from this chapter, however, is the equally complex and changing treatment of social outcasts compared to those accorded burial in 'normal' community circumstances, in either the pre-Christian or Christian period. It has been argued that it is possible to approach the antiquity of territorial divisions of varying importance in the landscape, and a major observation that has emerged is the correspondence between burials of seventh- and eighth-century date and what are known from later sources as estate and hundred boundaries. A mixture of local custom and the strong arm of royal governance also appear to be manifest in the range and nature of deviant burial places from the seventh and eighth centuries onwards. Another major conclusion is that radiocarbon dating should be standard practice when unusual or isolated human remains are discovered.

Ultimately, there was no simple or straightforward process of excluding an individual from a social group, and the following chapter explores the sequence presented above against wider developments in Anglo-Saxon society and landscape, and attempts to establish ideological motivations behind deviant burial practices and their locations.

Themes and trajectories: the wider social context

If wizards or sorcerers, perjurers or they who secretly compass death, or vile, polluted, notorious prostitutes be met with anywhere in the country, they shall be driven from the land and the nation shall be purified; otherwise they shall be utterly destroyed in the land—unless they cease from their wickedness and make amends to the utmost of their ability.

(From the so-called ‘Laws of Edward and Guthrum’ (cap. 11), attributed to Archbishop Wulfstan and placed early among his legal writings (Wormald 1999, 389–91; Whitelock 1941), suggesting a late tenth-century date)

INTRODUCTION

Overall, it is possible to argue that Anglo-Saxon society was deeply superstitious, and that underlying folk belief drove both local- and, to a lesser extent, kingdom-level approaches to dealing with the suspicious dead from the Migration period until after the Norman Conquest. The clause quoted at the opening to this chapter, for example, identifies witchcraft as a Late Anglo-Saxon legislator’s concern. What follows attempts to place the results of the research presented in the preceding pages into a social and ideological context, and argues that secular judicial organization, even by the end of the Anglo-Saxon period, carried with it undertones of deep-seated belief and practice from the early Anglo-Saxon centuries. Indeed, in a wider European context, Susan Reynolds has suggested that, up to the twelfth century, law was based on local custom that was, up to that point, continually revised and augmented to reflect changing social situations (Reynolds 1984, 14).

Explanations for individual deviant burial rites in the pre-Christian period have been considered above, with three major conclusions: first, that there was a developed sense of the ‘powerful dead’ (Parker Pearson 1993), and that specific burial rites were applied in a range of circumstances but with a common motive to lay potentially troublesome individuals in the grave without fear of

their returning to inhabit the world of the living; secondly, that deviant burial rites were commonly understood throughout England in a period prior to centralized authority; and thirdly, that a concept of liminality can be observed in the context of community burial grounds.

It would be unwise to think of deviant burials in the community cemeteries of the fifth and sixth centuries as the result of secular judicial behaviour, although an unknowable proportion may well represent the straightforward killing of individuals for wrongs committed against others. Rather, it seems that local community-based practice determined the way that an individual was treated if he or she had contravened social norms. The variation of grave furnishing of deviant burials in early Anglo-Saxon period, especially the 'cunning women', indicates that prone burial and other comparable rites were applied both to 'positively' powerful individuals and to more straightforward wrongdoers in the case of poorly furnished or unfurnished burials, although a superstitious motive underlies the range.

It remains to attempt to explain why formalized judicial practice came into being in a social and political sense, and for the post-Conversion execution cemeteries, what ideological motivations lay behind their siting in the landscape.

From the late sixth century secular power is reflected increasingly in the wealth of high-status burials, but also in the construction of ostentatious dwellings. The process of kingdom-formation is a feature of the later sixth, seventh, and eighth centuries in England, and the rise of formal judicial behaviour can now be seen as a reflection of the ability of ruling families to put into place instruments of early governance expressing power beyond that of the ability to wage war, accumulate wealth, and construct imposing residences.

Much is made of the more overtly violent aspects of state-formation and reputation-building by the earliest English kings, but they themselves can only have achieved dominance over significant groups of warriors and their kin groups through an ability to mediate and legislate. A crucial development in the process of kingdom-formation surely comes when authority is extended beyond immediate kin or folk, and it can be argued that such a situation requires a more permanent display of authority and status. It is proposed here that such requirements were met not only by structural display and military campaign, but also by the administration of justice, the erection of gallows, and the incorporation of existing markers of outcast status with regard to modes of burial.

The degree of control an individual has over violence as a means of expressing power and personal prowess can emphasize the role of that individual in the maintenance of social stability. Indeed, Guy Halsall has suggested that the nature of warfare in earlier Anglo-Saxon England may have served just such a purpose (Halsall 1989, 173). It can now be proposed, based upon the evidence of the small number of formal execution cemeteries of later seventh- or eighth-century origin, at Cambridge, Staines, Sutton Hoo, and Walkington Wold,

that individuals with kingly pretensions utilized public capital punishment as a means of communicating their dominance, especially during periods of conquest (Reynolds 2008). While local communities might have set up gallows of their own accord, it is difficult to view such a uniform system as without royal licence. Early elites experienced continual challenges to their authority, not least from close associates, and once clear territorial boundaries became established it can be argued that the nature of kingship changed, from a situation where everything was to be gained through heroic conquest to a position where the management of internal stresses and conflicts became a principal concern. The very fact that kings and kingdoms emerged indicates an ability to regulate populations as well as conquer them. John Hudson has argued that the later Anglo-Saxon kings incorporated the existing practice of feud into their own administration of justice, and that this process served to strengthen royal power overall (Hudson 2006). Paul Hyams has made a similar case regarding both feud and sanctuary (Hyams 2001; 2003, 95). While the arguments of Hudson and Hyams, among others, relate largely to the consolidation of royal power in the Late Anglo-Saxon period, it remains to be proven whether the existence of execution sites displaying formulaic physical characteristics is evidence for centralized royal power from the seventh and eighth centuries. Other aspects of increasing social complexity, however, are evident during this early period, including the development of *wic*-type settlements and the use of coin. Set against such a background, organized judicial behaviour is perhaps not out of place in the late seventh and eighth centuries. Hyams (2001, 2) has argued that late Anglo-Saxon society was 'in its last period a feud culture with public courts and an active monarchy'. While the written laws issued by the Late Anglo-Saxon kings do indeed indicate an increasing royal concern regarding pre-existing mechanisms of dispute-settlement and limiting of violence, it is possible that the apparently regularized nature of execution sites indicates a strong royal interest in judicial matters from a much earlier period to which Hyams's statement might equally be applied.

A point of particular interest from the seventh and eighth centuries onwards is the fusion of age-old modes of marking outcast status in the form of prone burial, decapitation, stoning, and amputation, with such burials often placed at the edge of community cemeteries, with newly developing concepts involving the use of landscape, specifically the boundaries of local territories, and the redefinition in a negative way of perceptions of ancient monuments, namely barrows and linear earthworks.

The execution burials at Sutton Hoo provide a contrast to other execution cemeteries, in view of their intimate relationship to the high-status barrow cemetery with which the earliest execution burials are arguably contemporary, although the dates do allow for the deviants to be later than the high-status interments. Radiocarbon dates from burials 22, 35, and 42 allow for

seventh-century executions, although they may begin in the eighth century (Carver 2005, 347–8). Even if they begin in the eighth century, after high-status burial at the site had ceased, it is difficult to accept that the former status of the site would have been entirely forgotten. The siting of deviant burials in relation to burials of the highest status implies either royal consent or perhaps a change of dynasty. The sanctioning of deviant burial at the burial place of (not-so-distant) ancestors by recently converted kings is of interest, but potentially problematic. The choice of such a site can be explained in two ways. The vehemence with which a king adopted the new faith might have affected perceptions of ancestors, perhaps to the extent that certain royal tombs will have become regarded as ostentatious monuments of paganism and therefore were to be neutralized. Alternatively, the siting of a gallows at a site of royal burial could have served as an active reminder for onlookers of the continued and established nature of their ruling dynasty.

In many respects the additional roles that high-status burial sites such as Sutton Hoo may have served might hold the key to the problem of explaining the associated deviant burials. The burial places of pagan kings may have been a focus for much more than the burial of their dynasties. Pagan religious rituals and public assemblies may have been conducted at such sites, and the burials of wrongdoers could be argued to emphasize their importance as ‘central’ or ‘focal’ places rather than contradict it. Audrey Meaney, for example, has suggested that the Early Anglo-Saxons may have made use of multi-dimensional assemblies where all aspects of kingship, administration, and religion were enacted (Meaney 1997, 231).

In support of this thesis, there is evidence, albeit limited, that certain pagan period multi-dimensional assembly sites were, or became, places of execution. In his survey of pre-Conquest territorial organization in East Suffolk, Peter Warner noted the close proximity of the field-name ‘harrough pightle’ to the hundredal meeting-place at Wilford Bridge; both sites lay within a mile of the Sutton Hoo burial site (Warner 1988, 22). The ‘harrow’ name is a *hearg*, or ‘pagan temple’, ‘sacred grove’, or ‘idol’ site. In this context it is worth considering the ‘holly stumps’ termed ‘ancient monuments’ by the late eighth-century ‘natives’ adjacent to the gallows in the Little Bedwyn bounds of 778 (see Ch. 5 and App. 4, no. 4). The coincidence of the holly stumps with the modern place-name Harrow Farm was first noted by G. M. Young (1926, 346). The English Place-Name surveyors were cautious about accepting the Harrow name as one of the corpus of *hearg* names, on the basis that the earliest instance dated to 1820 and that a map of 1773 recorded the name Cross Farm (Gover, Mawer, and Stenton 1939, pp. xli and 346). Subsequently, the Bedwyn harrow name has been omitted from the published lists of pagan names (Stenton 1941; Gelling 1962; 1977). In the light of this discussion the likelihood emerges that the farm in question has been variously labelled according to its locational correspondence with both an ancient cult site, a place

of execution, and a crossroads—the latter an appropriate location for a place of execution.

Several writers have claimed a link between sites of execution and hundredal meeting-places, with Warner stating that: ‘It is an established fact that some of our earliest English hundredal meeting-places coincide with sites of heathen association and also with places of execution’ (Warner 1988, 22), and David Hill suggesting that the mounds characteristic of execution sites were ‘perhaps the place [where] the *witan* stood or sat’ (Hill 1976*b*, 127). Whilst Warner gives no examples apart from Sutton Hoo, recent research by Audrey Meaney has indicated that the interrelationships between meeting-places and pagan religious sites are complex but that there are a significant number of associations of pagan place-names which are also those of later hundreds (Meaney 1995, 34–5; 1997, 231). It remains that Sutton Hoo is the only identified site where a correspondence of execution and assembly *may* have taken place, with the exception of Wandlebury (see below), although its ‘central place’ functions may have ended with the phase of high-status burial. Otherwise, this study has not revealed close associations between hundred meeting-places and execution sites of Anglo-Saxon origin that in some cases can be shown to have continued in use into the early post-Conquest period. The boundary courts referred to in the so-called *Leges Henrici Primi*, a legal compilation of *c.*1115 that includes material relating to the pre-Conquest period, are difficult to interpret. In one instance a reference is made to such a court being the appropriate place for neighbours to settle disputes (Downer 1970, 177, 57.1), but it is possible that by the reign of Henry I such locations were also those where capital offenders were dispatched.

As shown in Chapter 4, Sutton Hoo is not the only excavated cemetery with evidence for Early Anglo-Saxon burials of ‘normal’ type and execution burials, although admittedly there is no evidence for seventh-century execution burials at the Surrey sites of Guildown and Ashted. The instances of intercutting graves of pagan and execution type, at Guildown especially, indicates that those burying execution victims must have been aware of the underlying burials, but it is worthy of note that there are no examples of grave-robbing, despite the high quality of certain of the finds from the Early Anglo-Saxon graves. The burial of outcasts directly upon a cemetery of the ‘ancestors’ was clearly not an issue when executions began at Guildown. Unfortunately the dating of the earliest execution burials is not known, but the site constitutes the largest sample of such burials and the plan clearly shows at least one major change in burial orientation. A ‘long’ chronology is indicated, but remains unproven. If indeed certain execution cemeteries were consciously sited upon pre-Christian burial grounds, the issue of establishing the time lapse between the end of ‘community’ burial and the beginning of deviant burial has major implications for our understanding of memory regarding burial geography.

The apparently centralized functions at royal centres of folk significance like Sutton Hoo and Yeavinger evidently developed during the Middle Anglo-Saxon period, with dispersed administrative functions in a rural context and the growth of proto-urban centres in others; a process no doubt driven by the increasing geographical extent of kingdoms and the need for more formalised systems of governance. During the late sixth and seventh centuries places like Sutton Hoo and Yeavinger can be argued to represent locations where administrative and social functions were concentrated, while the following period of growth and consolidation of kingdoms forced the development of innovative systems of social control, namely the raising of gallows across newly emergent kingdoms as an expression of the domination (or protection) of smaller, once-autonomous polities now incorporated into larger territories.

JUDICIAL LANDSCAPES

The landscape context of judicial organization is a matter of significant interest for the insights that such a study allows for the reconstruction of the Anglo-Saxon landscape and the spatial dynamics of local governance. In particular, the dispersed nature of judicial agencies is of great interest as it demonstrates the ability of at least later Anglo-Saxon society to maintain highly complex judicial machinery in a form that is ultimately responsible to a centralized authority, but which is anything but centralized in its operation. The discussion below considers different models of judicial organization throughout the later Anglo-Saxon period.

Models of dispersed administration: the rural experience

One of the great misconceptions about society during the Anglo-Saxon period is that it was somehow less organized than in the Roman period, and that the principal means of assessing the degree of complexity of early medieval societies is to compare their social systems with those of the Roman empire. One of the major themes to emerge from this study is that although towns became an increasing feature of provincial administration, especially in the Late Anglo-Saxon period, complex judicial organization also existed in a dispersed form, with the necessary agencies located variously within the limits of the hundred. This is a matter of significant interest, both in terms of how anthropologists, archaeologists, geographers, and historians assess social complexity, and with regard to the considerable administrative ability of Wessex in the later part of our period. In the Middle and Late Anglo-Saxon countryside it is possible to suggest a system whereby prisons, courts, places where ordeal was conducted, and sites of judicial execution were widely dispersed in the landscape. Clearly, progress towards urban centralization was not universal, perhaps because it was not desired. Dispersed yet complex administrative landscapes provide a

theoretical alternative to the classical model of towns as ‘climax’ communities, to use geographers’ terminology, when assessing the relative ‘complexity’ of individual societies.

Overall, the significance of judicial functions in terms of the development of territorial units and the central places of governance has been underplayed. In certain cases, for example, hundred names can be seen to be derived by reference to judicial activity. Examples include Damerham (Wiltshire), OE *dōmera hamm*, ‘enclosure of the judges’, first recorded in 880 (Gover, Mawer, and Stenton 1939, 400), although the compilers of the Wiltshire English Place-Name Society volume note that ‘the circumstances under which such a name could have arisen are completely obscure’; perhaps not, however, if the name is viewed as reflecting one of the primary roles of the district so named. A further Wiltshire place-name, Dauntsey, first recorded in 850, may also derive from a similar root meaning ‘island of the judges’ (ibid. 68; S301), although this place did not give its name to the Domesday hundred (Startley) in which it lay. Audrey Meaney’s study of hundred names in the Cambridge region notes Brothercross and Gallow Hundred (Norfolk) (Meaney 1997, 235), among many other examples of judicial naming nationally.

Execution, central places, and towns: the urban experience

With the proliferation of towns in the late Anglo-Saxon period, the physical expression of judicial authority became an important attribute of the developing town. The relationship of execution cemeteries to important routes of communication arguably reflects growing long-distance traffic and a move to regulate travel by road evident in the laws from the late seventh century.

Reflections of the judicial authority of central places during the Anglo-Saxon period can be viewed by examining the relationships between a series of excavated execution cemeteries and places that became towns by the Late Anglo-Saxon period. In a number of cases there is evidence for judicial functions at a considerably earlier period than there are indications of urban status, and there are interesting implications here with regard to the factors behind urban development. Up to the mid-1980s urban places were viewed to have developed in two major stages: as international trading settlements, or *wics*, during the seventh to ninth centuries, and then as fortified urban speculations from the later ninth century (Biddle 1976a). The few instances of fortified settlements of eighth- and earlier ninth-century date in the Mercian kingdom (Hereford and Tamworth) are possible indications that the West Saxon burghal towns of the later ninth and earlier tenth centuries were in part based on a model provided by their northern neighbour, although all too little is known archaeologically about the dating of earthwork phases of the Wessex *burhs*. John Blair’s work on minsters and urban development, published in a series of influential papers throughout the 1980s and 1990s, emphasized the role of major churches in the urban process (Blair 1988; 1992; 2005).

Two independent elements of the judicial process, execution and hundred meeting-places, have not been adequately considered before as actively contributing to the longer-term success of a locale and the development of a town. In his 1976 essay Martin Biddle listed judicial autonomy amongst one of the defining features of a town (Biddle 1976*a*, 100), but the archaeological dimension of this particular criterion has not been previously realized. Judicial authority should be seen as a primary aspect of the growth of a town, fundamental to its wider identity as a central place and demonstrating its ability, or at least desire, to control its hinterland. While the walls and gates of later Anglo-Saxon towns expressed in no uncertain terms the physical protection and legal status of the town, travellers, traders, and locals would have been reminded of the wider influence of the town by the presence of gallows along the major approaches.

In her typology of hundred names, Audrey Meaney suggested that hundreds sharing their names with towns within their bounds reflected a process whereby rural archaic meeting-places had been relocated and the district renamed as a reflection of urban growth and the rise of a local or regional centre (Meaney 1997, 197–8). An alternative perspective might be to view such a place as of primary administrative importance, for example a later sixth- or seventh-century royal vill, as a place of assembly, as is known for other early documented royal vills, most notably Yeavinger. Such places might give their names to local districts. For example, the Wiltshire royal vills and hundredal centres of Bradford-on-Avon, Calne, Chippenham, and Malmesbury in Wiltshire functioned as meeting-places, on the basis of the place-name evidence, yet developed into towns by the later Anglo-Saxon period, having attracted minster churches probably during the Middle Anglo-Saxon period. In other words, it is possible that the primary reason for the setting in motion of the urban process might have been secular judicial and administrative activity.

Cambridge is an interesting case study. The recently discovered execution cemetery on the north-western boundary of the hundred of Cambridge was fully described in Chapter 4. Its importance for our purposes lies in that it indicates judicial activity and recognition of what became the Domesday hundred boundary in the eighth century. A developmental model whereby the process of regeneration started from a sparsely populated secular central place but with important judicial and administrative functions fits the available evidence. Archaeological traces of a royal vill of the eighth century need not be substantial or extensive, and the vill may either have been destroyed or might still lie buried beneath the modern town yet to be found. It would be a striking coincidence indeed if the relationships between the eighth-century Chesterton Lane execution cemetery, Domesday hundred boundary, and Late Saxon town of Cambridge were purely fortuitous; a primary judicial function seems an inescapable likelihood, perhaps within the context of Offa of Mercia's suggested regeneration of the town in the later eighth century (Haslam 1976).

The dating of one of the Chesterton Lane burials to the second half of that century appears to confirm at least judicial activity at Cambridge during this period.

A similar scenario presents itself at Staines, although the hundred within which the Late Anglo-Saxon town lay takes a different name (Spelthorne) from the later town. It has been argued that the former Roman settlement of *Pontibus* was the focus of a Middle Anglo-Saxon *regio* of the *Stæningas* north of the Thames (Bailey 1989, 120). The early date of the cemetery and its location on the parish boundary of the Domesday settlement mirrors a spatial pattern exhibited by a series of Late Anglo-Saxon towns and associated execution cemeteries. Perhaps the most significant case study is that of Winchester, where the prevailing view sees the growth of the town as occurring from the mid-ninth century (Yorke 1995, 114). The dating of one of the burials from the execution cemetery at Old Dairy Cottage, on the north-western boundary of the borough of Winchester and on the boundary between the hundreds of Falmer and Barton, to the second half of the ninth century again appears to reflect the emergence of Winchester as a judicial centre. Indeed, it is possible to map the Late Anglo-Saxon judicial geography of Winchester in great detail, given that the location of prison, minster, and execution cemetery are known from a combination of sources.

Comparable spatial relationships between Late Anglo-Saxon towns and execution cemeteries can be observed at Eashing, Guildford, Old Sarum, Steyning, and perhaps Wallingford, and thus judicial archaeology can be firmly placed among the various criteria applied to the physical definition of the town in Anglo-Saxon England. Indeed, the Old Dairy Cottage *heafod stocc* and execution burials to the north of the town walls of Winchester accurately mirror a phrase from Ælfric's *Lives of the Saints*, of the late tenth or early eleventh century, where they 'hung the headless on the town-walls, and set their heads, like those of others who were thieves, outside the town-walls upon the head-stakes' (Skeat 1881, 493).

An organized system

The proliferation of written sources from the tenth century reveals a highly organized judicial system. A mapping of judicial organization in late Anglo-Saxon Wiltshire gives an impression of the spatial relationships of the agencies of local government in a central Wessex shire on the eve of the Norman Conquest (Fig. 70). Wiltshire is selected as a shire within which to examine the distribution of judicial agencies owing to its centrality within Wessex and the substantial quantity of extant documentary evidence, especially charters.

The distribution of judicial agencies presents a number of points of interest. Figure 70 shows a number of clear examples of concentrated functions in the context of towns, but there is an overall tendency for judicial agencies to be dispersed. Royal manors and minsters tend to be associated, while hundred

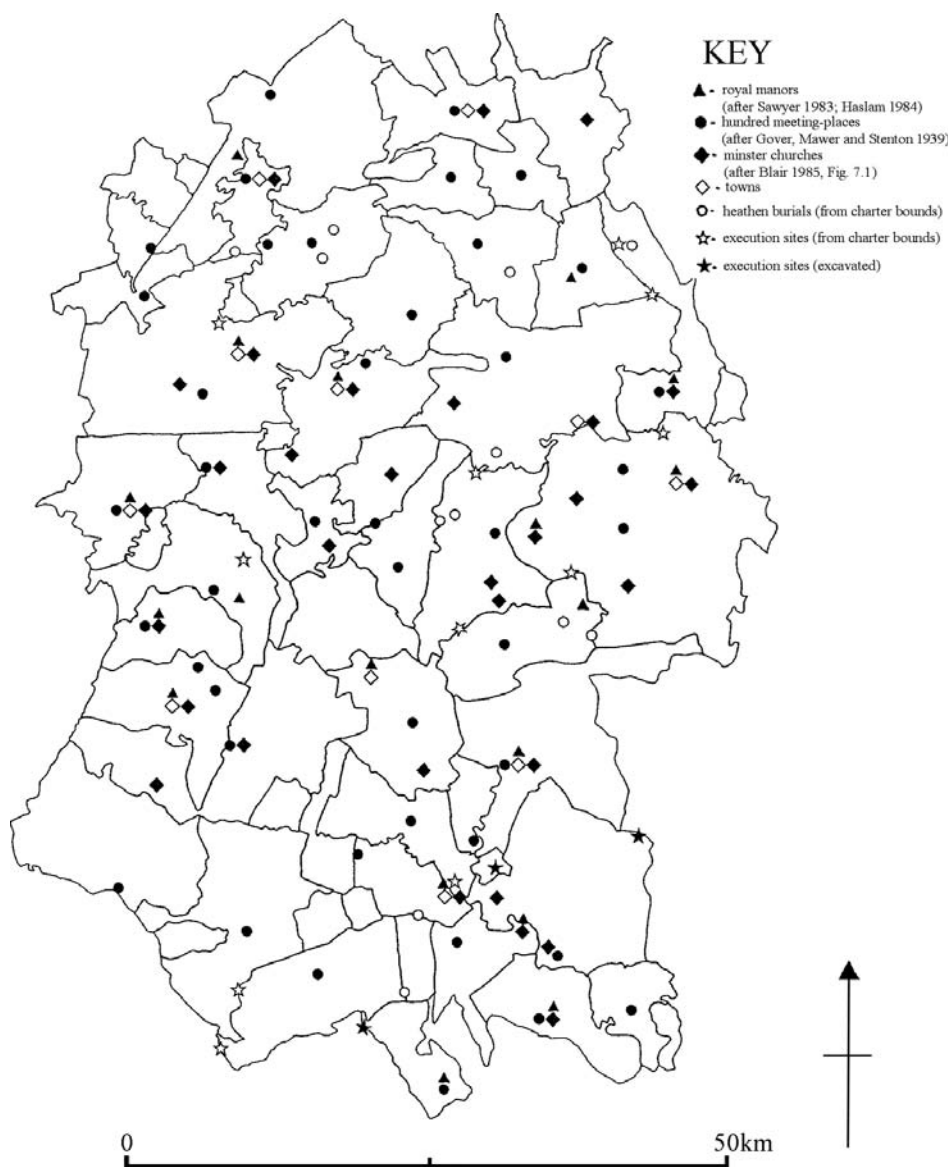


Fig. 70. The spatial organization of the Late Anglo-Saxon judicial system in Wiltshire.

meeting-places are frequently located apart from settlement foci and also places of execution. The contention that hundred meeting-places and execution sites were geographically separate is further emphasized by the fact that not one of the excavated cemeteries nor sites recorded in charter bounds coincides with a hundred meeting-place. It seems logical also to propose that places of execution and burial were administered jointly by the hundred courts of the territories whose boundaries marched together.

Evidence for judicial processes from archaeological excavations and from charters potentially reflects an increase in wrongdoing from the tenth century. From the mid-tenth century, on the basis of documentary evidence, and from late in that century and early in the next, according to coinage and archaeology respectively, an increasingly urbanized market economy developed rapidly in Anglo-Saxon England (Hill 1988, 206–7; Astill 2006). The substantial coin-use evidenced in the first half of the eighth century (Ottaway 1992*b*, 125; Gannon 2003, 12) had developed and increased by the late tenth and eleventh centuries into the standard form of inter-regional exchange (Hinton 1986, fig. 2.5; Metcalf 1982, 204; 1986, 156). Although a simplistic model for our purposes, such a situation surely brought with it greater opportunities for theft on a range of scales: it is easier to steal a purse of silver coins and conceal or dispose of them quickly than it is to rustle cattle. Commercial growth would have made transactions increasingly difficult to monitor, thereby necessitating tighter control over buying and selling of goods and stock, and evasion of tax must have developed in tandem with monetary and trading reforms. There is ample evidence from the legal codes for the regulation of transactions, but it is only from the laws of Edward the Elder (I Edw 1.1) that concerns are evident with regard to trading in towns (Hill 1988, 206). The development of capitalist economies and the growth of the disenfranchised urban poor provided incentives for increased personal wealth through straightforward theft as well as ‘black marketing’. Rebecca Colman has argued that the diversity of town life would have fostered a diversity of crime, but it is difficult to agree with her contention that public security was increased as a result of urban growth (Colman 1985, 59). Indeed, according to Matthew Paris, Ealdred, an early eleventh-century abbot of St Alban’s, pulled up and backfilled certain of the ancient (Roman) ‘subterranean crypts’ and ‘vaulted passages’ because they had become the refuges of thieves (Wright 1844, 441).

The well-excavated and substantial execution cemetery at Guildown could be regarded as a type-site in terms of representing, at least partially, the convicted deviant population of the adjacent Late Anglo-Saxon mint and market town of Guildford (O’Connell and Poulton 1984, 43–4), although the cemetery will also have received the burials of wrongdoers from the hundreds which lay either side of the boundary location of the Guildown cemetery and others precluded burial in consecrated ground. Similarly, the felons buried at the Malling Hill execution site in Sussex might contain a proportion of urban wrongdoers from the nearby Late Anglo-Saxon market and mint of Lewes (Munby 1984, 328). We should not underestimate the scale of rural crime, however, and here the laws and the charms express concerns about cattle-rustling in particular.

There is evidence from Lewes to support the notion that deviant burial cemeteries are a largely pre-Conquest phenomena, with certain sites continuing in use into the twelfth century. After the Norman Conquest executed criminals might be buried in monastic hospital cemeteries, as was the case at the hospital

of the Holy Innocents at Lincoln (Pugh 1981, 567; Gilchrist 1992, 104). Recent excavations in Lewes have revealed part of the cemetery of St Nicholas's monastic hospital. Post-excavation work is in progress, but pottery indicates an eleventh- to thirteenth-century date range for the cemetery, with burial into the fourteenth and fifteenth centuries a possibility (L. Barber, pers. comm. 1997). Significantly, two bodies were found with the hands tied behind their backs, two displayed deep cuts to their skulls, whilst a third was buried with an iron manacle of the type found at Winchester (Fig. 3) around the right ankle (Anon. 1996–7, 2). Given the close proximity of the two sites, it could be suggested that the execution cemetery at Malling Hill was succeeded by St Nicholas' Hospital as the burial place of executed felons. This model, based upon geographically related and archaeologically attested data, provides the best explanation to date for the end of use of execution cemeteries on principal boundaries. Radiocarbon determinations from several execution cemeteries confirm the usage of such sites into the twelfth century (Table 23).

Archaeological evidence for the burial of felons in churchyard cemeteries is illustrated by the St Margaret in Combusto excavations in Norwich (Ayers 1990). Certain skeletons exhibited features such as a prone aspect, while others had their hands tied behind the back: all common indicators of judicial execution with Anglo-Saxon antecedents. Documentary evidence has confirmed that St Margaret's did indeed receive the corpses of executed criminals in the medieval period (*ibid.*). In summary, it seems that from the twelfth century executed felons were commonly buried in enclosed consecrated cemeteries administered by religious authorities (Daniell 1997, 120), although the archaeological and landscape dimension of judicial execution in the later medieval period remains unexplored.

The burial of outcasts in hospital cemeteries may indicate a desire to bury criminals alongside the corpses of the sick, all being regarded as 'unclean'. Overall, however, the changes visible in the treatment of wrongdoers in the century following the Norman Conquest suggests a slackening of the ideological fervour which had apparently motivated the Late Anglo-Saxon state. Execution cemeteries, therefore, may be seen as a physical manifestation of both secular and religious administrative concern for the exclusion of social outcasts to the furthest geographical and ideological limits according to contemporary custom. Furthermore, there is no reason to doubt that execution, as opposed to burial, might have continued for centuries at certain sites of pre-Conquest origin. The Tyburn gallows, perhaps the most famous execution place of post-medieval England, had its origins in the Anglo-Saxon period, given that a boundary clause of 1002 describes the *ealdan werbrode* ('old felons' cross/gallows') close to that place on Oxford Street in London (see Ch. 5 and App. 4, no. 105). Executions at Tyburn were finally stopped in 1783, when the gallows were moved to Newgate (Gatrell 1994, 96). This is a fine example of long-term continuity of function from the Anglo-Saxon period until early modern times,

and there can be few charter boundary marks named according to an activity that can demonstrate such clear continuity of function. A final point relating to the longevity of execution cemeteries is how few victims they contain. If sites like such as Stockbridge Down and Sutton Hoo functioned for up to 500 years, then a very crude reckoning indicates one execution every ten years: a figure that further necessitates a reappraisal of the severity and 'barbarity' of judicial practice in Anglo-Saxon England during the Christian centuries. From the perspective of later medieval written sources, low conviction rates for capital offences are recorded, no doubt owing to the severity of the penalty, while a range of circumstances, including deliberately botched executions, rescues, often involving clergy who would not themselves be put to death for acting so, and escape and refuge in a church, also reduced the potential number of executions (Summerson 2001, 126–7). Similar situations are likely to have occurred in Anglo-Saxon England, and Paul Hyams further suggests that social relationships were likely to have determined capital convictions, due to the likelihood of public order breaking down on the execution of a well-connected or well-liked individual (Hyams 2001, 35).

THE IDEOLOGY OF DEVIANT BURIAL IN CHRISTIAN-PERIOD ENGLAND

The relationship between burials and administrative boundaries evidently developed from pre-Christian notions of the edge of a burial plot as a suitable repository for those who had contravened social norms, to a situation where apparently careful decisions were made when burying outcasts in relation to an increasingly complex administrative geography. Notions of boundaries as appropriate places to inter outcasts is a feature found across northern Europe in the middle ages, as are common modes for the laying of malevolent corpses safely with regard to the living (Caciola 1996). Further research is required to explore regional and chronological contrasts and comparisons at this level.

It can be further proposed that modes of execution and outcast burial were not only concerned with the practicalities of ending the life of a victim or simply setting them apart from consecrated cemeteries. There is much to indicate that the location of execution cemeteries and isolated boundary burials, and the two principal methods of execution, hanging and decapitation, served to illustrate very particular attitudes with regard to contemporary ideology.

Thomas Charles-Edwards's discussion of boundary burial in late pagan Wales and Ireland emphasized the powerful role played by liminal interments in concepts of protection and legal ceremony. To quote: 'It is, therefore, possible that in pagan Britain the burial upon the boundary had the same function as in pagan Ireland: the dead warded off the outsider from the land and thus protected the rights of their heirs; and this belief provided the basis

for the part of the procedure for claims to land which showed the basis of any lawful claim, hereditary right' (Charles Edwards 1976, 87). I would suggest that the English evidence is different in emphasis, at least during the Christian period. The nature of liminal burial in an English context appears wholly negative, and concerned with the exclusion of social deviants to the limits of territories. Jean-Claude Schmitt, for example, has discussed a series of later medieval texts that refer to boundaries as the haunt of the malevolent dead in England and Wales (Schmitt 1998, 184). In such locations, consigned to inhabit boundaries and not the sphere of the living, and to unconsecrated plots and the malevolent underworld, those buried in execution cemeteries and isolated burials (including the named individuals in boundary clauses) can be interpreted in a legal context, whilst the heathen burials perhaps represent a broader range of social outcasts reflecting local custom.

Hanging is known in early pre-Christian Germanic society (Strom 1942, 115), but its ideology would also have been perfectly suited to the requirements of the church. In the Gunpowder Plot judgement of 1606, for example, Sir Edward Coke expressed the view that the convicted should be 'hanged up by the neck between heaven and earth, as deemed unworthy of both or either' (Howell and Howell 1809, 184; quoted in Gatrell 1994, 315). The elevated locations of excavated execution cemeteries, coupled with their proximity to routes of communication, would have provided a stunning visual impression of the hanged felon in a state of limbo. The concept of the felons' exclusion from earthly and heavenly spheres is later illustrated by the well-attested medieval and post-medieval usage of animals and vehicles (tumbrels) to convey the convicted to their place of execution (Strom 1942, 155, n. 232; Gatrell 1994, 315–16). While there is no evidence for this latter practice in Anglo-Saxon England, it is likely to have occurred. The Vercelli Homily (Oxford Bodl. Hatton MS 115) noted in Chapter 5 records various sexual deviants who are to be denied mass, or even burial in a 'heathen pit' (*hæpenum pytte*), and states that such individuals should be dragged (*drage*) without a coffin to the place where their corpse will be disposed of (Thompson 2004, 171).

The choice of prehistoric barrows or the construction of mounds (at Stockbridge Down and possibly Burpham, South Acre, and Crosshill) further emphasizes the powerful ideological motivation behind the use of earlier barrows at execution sites. Both Germanic lore and Christian motif appears to have influenced the choice of barrows and of linear earthworks as fitting places for execution cemeteries. The eighth-century life of St Guthlac records how the saint, while leading an existence of repentance for former misdeeds, built his hermitage in an old burial mound (*hlaew*), and was tormented by the devils who lived there (Colgrave 1956, 92–4 and 100–10). Throughout the, probably eighth-century, epic poem *Beowulf* there are references to the *beorg* (barrow) in which the dragon guards his treasure, and in Maxims II 'The dragon belongs in its barrow' (Dobbie 1942, 55–7). The modern place-name record

also preserves the memory of such associations between monsters and mounds (Gelling 1988, 141–2). Such evidence suggests that, whilst the principal mode of execution (hanging) served to illustrate exclusion from heaven and earth, a suitable repository had to be sought for the eventual disposal of the physical remains of the executed. Barrows were clearly deemed suitable in ideological terms for such interments, and a recent reinterpretation of the OE poem *The Wife's Lament* plausibly argues that the woman described inhabiting a mound is in fact a ghost (Semple 1998; 2003). Besides being appropriate places to inter outcasts, burial in barrows could also be argued to emphasize exclusion from consecrated ground by ensuring that those so buried were condemned to eternal torment by the demons and spirits who inhabited such places. A long-barrow that seemingly gave its name to Cutteslowe, near Oxford, was deliberately levelled by order of the justices in eyre who sat at Oxford in 1261 after two strangers were found murdered in its chamber, while the hundred jury itself testified to the fact that robbers lurked in the mound and that many robberies and murders had been committed there (Cam and Crawford 1935, 96–8). Although the latter account is of the thirteenth century, it arguably contains an echo of Late Anglo-Saxon attitudes to such places.

There is support for a changing attitude to barrows in the form of the evidence from excavated meeting-place mounds. The list of excavated moot sites presented by Adkins and Petchey indicates that out of the twelve examples that have been investigated only one proved to have a prehistoric origin; the remainder are either undated or post-Roman (Adkins and Petchey 1984, 247). Although Adkins and Petchey do not suggest any chronological or ideological framework for the deliberate construction of moot mounds, it can be proposed, in the light of the above, that reinterpretation of such features necessitated the construction of unquestionably 'clean' or 'safe' mounds for the purposes of judicial and administrative assembly. This suggested change in attitude towards barrows appears to have occurred by the eighth century on the basis of the documentary sources, and it is to be regretted that there are no scientific dates from any of the excavated moots.

Linear earthworks too can be shown to have had supernatural associations in the later Anglo-Saxon period, on the basis of place-name evidence. Margaret Gelling suggests that the 'Grim' names applied to many surviving linear earthworks survived the Conversion to Christianity, but came to mean 'Devil' (Gelling 1988, 150). Such earthworks were constructed in the first instance as boundary features, which leads to the final underlying concept of the execution and disposal of deviants: the indisputable choice of administrative boundaries as places of execution and suitable repositories for a wide range of deviant burials. It can be suggested that it was not just the size or unknown origin of linear earthworks that resulted in names of supernatural association, but their role as peripheral features marking a point of transition and a place between recognized entities. Such a location would be suited to the burials of felons and

other outcasts, being at the furthest distance geographically and ideologically from the living. Ruth Richardson has considered how boundaries also serve as thresholds, and that the act of burial in a grave constitutes the crossing of such a boundary (Richardson 1993, 92 and 99). This approach suggests that those interred upon physical boundaries became inhabitants of such features. The substantial body of written evidence relating to revenants studied by Nancy Caciola reveals a striking imprint of a belief in the living dead in medieval Icelandic sources (in the form of the Old Icelandic *draugr*) stronger than elsewhere in Europe, although she demonstrates effectively that such concepts were in fact widespread. For the superstitious, which must have constituted the majority of medieval society, places of deviant burial must have been very frightening indeed. Howard Williams (2006, 90) suggests that execution sites materialized authority in a highly memorable way, and the combination of the various attributes of such sites, both tangible and perceived, was surely very powerful in this respect.

If the heathen burials mentioned in charters do indeed represent execution cemeteries and outcast burials sited with such ideological concerns, it is appropriate that Ælfric notes associations between such sites and witchcraft (Ch. 5; Griffiths 1996, 35). This evidence demonstrates contemporary concern regarding the rising of corpses, and serves to confirm the suggested supernatural motivations for prone burials, decapitations, and stonings, not just from execution cemeteries but in all contexts.

Ultimately, this study suggests that even within the context of an increasingly organized state-administered system for dealing with miscreants and social 'others', a deeper level of age-old superstition and belief drove the practical outcome of legal prescriptions and the burial of undesirables in Anglo-Saxon England. One can only spare a thought for the wretched characters whose lives and deaths were determined by a world-view blurred by religious belief, whether community-prescribed custom of a supernatural nature or rabid lawmaking under Christian influence.

APPENDIX 1

A handlist of Anglo-Saxon law-codes prescribing capital punishment, mutilation and burial in unconsecrated ground (see Wormald 1999 for full discussion of individual codes and their MSS)

INE (688–725)

Place of promulgation unknown, but the date probably falls between 688 and 694 (Attenborough 1922, 34; Wormald 1999, 103, n. 358).

5. If anyone is liable to the death penalty, and he flees to a church, his life shall be spared and he shall pay such compensation as he is directed [to pay] by legal decision.
6. If anyone fights in the king's house, he shall forfeit all his property, and it shall be for the king to decide whether he shall be put to death or not.
- 7.2. A 10-year-old child can be [regarded as] accessory to a theft.
12. If a thief is taken he shall die the death, or his life shall be redeemed by the payment of his wergeld.
18. If a commoner, who has often been accused, is at last caught [in the act], his hand or foot shall be cut off.
20. If a man from afar, or a stranger, travels through a wood of the highway and neither shouts nor blows a horn, he shall be assumed to be a thief, and as such may be either slain or put to ransom.
24. If an Englishman living in penal slavery absconds, he shall be hanged, and nothing shall be paid to his lord.
37. If a commoner has often been accused of theft and is at last proved guilty, either in the ordeal or by being caught in the act of committing an offence, his hand or foot shall be struck off.

WIHTRED (690–725)

Promulgated at Barham, 6 September 695 (Attenborough 1922, 3; Wormald 1999, 101–2).

26. If anyone catches a freeman in the act of stealing, the king shall decide which of the following three courses shall be adopted—whether he shall be put to death, or sold beyond the sea, or held to ransom for his wergeld.

27. If a slave steals, and is released, 70 shillings—whichever the king wishes. If he is put to death, half his value shall be paid to the man who has him in his power.
28. If a man from afar, or a stranger, quits the road, and neither shouts, nor blows a horn, he shall be assumed to be a thief, [and as such] may be either slain or put to ransom.

ALFRED (871–99)

Date and place of promulgation not known but Liebermann suggests 892–3 (1916, 34). Attenborough considers an earlier date more likely, while Wormald notes the possibility that the code is post-893 (Attenborough 1922, 35; Wormald 1999, 286).

4. If anyone plots against the life of the king, either on his own account, or by harbouring outlaws, or men belonging to [the king] himself, he shall forfeit his life and all he possesses.
- 4.2. And likewise with regard to all classes, both commoners and nobles, we ordain: he who plots against the life of his lord shall forfeit his life to him, and all he possesses, or he shall clear himself by [an oath equal to] his lord's wergeld.
6. If anyone steals anything from a church, he shall pay the value of the article and the fine which is appropriate to the value in question, and the hand shall be struck off which committed the theft.
7. If anyone fights or draws his weapon in the king's hall, and [if he] is arrested, it shall be for the king to decide whether he shall be put to death, or permitted to live, in case the king is willing to forgive him.
- 25.1. If a slave rapes a slave, castration shall be required as compensation.

ÆTHELSTAN (924–39)

II Æthelstan was promulgated at Grately, near Andover. The date is unknown; 13–18 are probably later additions (Attenborough 1922, 113). For this and other Æthelstan codes see Wormald's complex discussion (1999, 290–308).

1. First, no thief shall be spared, who is seized in the act, if he is over 12 years and [if the value of the stolen goods is] more than 8 pence.
- 1.2. If, however, he [the thief] tries to defend himself, or if he takes to flight, he shall not be spared.
- 2.1. If, however, on the appointed day they [the relatives of a lordless man] will not or cannot [find him a lord], he shall be henceforth an outlaw, and he who encounters him may assume him to be a thief and kill him.
4. And we have declared with regard to one who is accused of plotting against his lord, that he shall forfeit his life if he cannot deny it, or [if he does deny it and] is afterwards found guilty in the threefold ordeal.
6. And we have declared with regard to witchcrafts and sorceries and deadly spells, if death is occasioned thereby, and [the accused] cannot deny it [the charge], that he shall forfeit his life.

- 14.1. And if a moneyer is found guilty [of issuing base or light coins] the hand shall be cut off with which he committed the crime, and fastened up on the mint. But if he is accused and he wishes to clear himself, then he shall go to the hot iron [ordeal] and redeem the hand with which he is accused of having committed the crime. And if he is proved guilty the same punishment shall be inflicted as we have already declared.
- 20.3. And it shall be proclaimed in the assembly, that men shall respect everything which the king wishes to be respected, and refrain from theft on pain of death and [the loss of] all they possess.
- 20.6. And if he is not willing to consent [to arrest] thereto, they shall put him to death, unless he escapes.
26. And if anyone swears a false oath and it becomes manifest he has done so, he shall never again have the right to swear an oath; and he shall not be buried in any consecrated burial ground when he dies, unless he has the testimony of the bishop in whose diocese he is, that he has made such amends as his confessor has prescribed to him.

IV Æthelstan was promulgated at Thunresfeld (perhaps Thundersfield near Reigate) although the date is not known.

6. And if there is a thief who has committed theft since the council was held at Thundersfield, and is still engaged in thieving, he shall in no way be judged worthy of life, neither by claiming the right of protection nor by making monetary payment, if the charge is truly substantiated against him—whether it is a freeman or a slave, a noble or commoner, or, if it is a woman, whether she is a mistress or a maid—whosoever it may be, whether taken in the act or not taken in the act, if it is known for a certainty—that is, if he shall not make a statement of denial—or if the charge is proved in the ordeal, or if his guilt becomes known in any other way.
- 6.1. And if he seeks the king, or the archbishop, or a holy church of God, he shall have respite for nine days; but let him seek [whomsoever or] whatsoever he may, unless he cannot be captured, he shall not be allowed to live longer, if the truth becomes known about him.
- 6.2. And if he seeks a bishop or a nobleman, an abbot or an ealdorman or a thegn, he shall have a respite for three days. But let him seek whatever he may, he shall not be spared longer, if he is caught.
- 6.3. If however he takes to flight, he shall be pursued to his death by all men who are willing to carry out the king's wishes, and whoever shall meet him shall kill him. And he who spares or harbours him shall forfeit his life and all that he has as if he were a thief himself, unless he can prove that he was not aware of any theft or crime for which his [the fugitive's] life was forfeit.
- 6.4. In the case of a free woman, she shall be thrown from a cliff or drowned.
- 6.5. In the case of a male slave, sixty and twenty slaves shall go and stone him. And if any of them fails three times to hit him, he shall himself be scourged three times.
- 6.6. When a slave guilty of theft has been put to death, each of those slaves shall give three pennies to his lord.

- 6.7. In the case of female slave who commits an act of theft anywhere except against her master or mistress, sixty and twenty female slaves shall go and bring three logs each and burn that one slave; and they shall pay as many pennies as male slaves would have to pay, or suffer scourging as has been stated above with reference to male slaves.

The Textus Roffensis Fragment

- 6.3. If anyone slays him within that period of respite, he shall apply as compensation the *mundbyrd* of him to whom the thief has fled to clear himself [by asseverating] with the support of eleven others that he was not aware that the privilege of sanctuary had been obtained.
- 6.4. But let him seek what sanctuary he may, his life shall be spared only for as many days as we have declared above.
- 6.5. And he who harbours him longer shall be liable to the same treatment as the thief, unless he can clear himself, [by proving] that he was unaware of any crime or theft committed by him.

V Æthelstan was promulgated at Exeter, although the date is not known.

- Intro. 2. And if anyone ever meets them afterwards in their native district, they shall be liable to the same punishment as one who is taken in the act of thieving.
- Intro. 3. And he who harbours them, or any of their men, or sends any man to them, shall forfeit his life and all he possesses. The cause [which has led us to issue this decree] is, that all the oaths, pledges, and sureties which were given there, have been disregarded and violated, and we know of no other course which we can follow with confidence, unless it be this.

VI Æthelstan was promulgated at London, although the date is not known.

- First. 1. No thief shall be spared [who has stolen goods worth] more than 12 pence, and who is over 12 years old. If we find him guilty according to the public law and he cannot in any wise deny it, we shall put him to death and take all he possesses; and we shall first take the value of the [stolen] goods from his possessions, and afterwards what is left shall be divided into three. One part shall be given to the wife if she is innocent and not an accessory to the crime; and the remainder shall be divided into two, the king taking one half and the [slain man's] associates the other half. If he is a tenant on land held by title deed, or on land belonging to a bishop, the owner of the land shall share equally with the associates.
- First. 2. And he who secretly harbours a thief and is accessory to his crime and guilt shall receive the same treatment.
- First. 3. And he who stands by a thief and fights on his side, shall be slain with the thief.
- First. 4. And he who has been frequently and publicly convicted of theft, and who goes to the ordeal and is there proved guilty, shall be slain, unless his kinsmen or his lord will ransom him by the payment of his wergeld and the full value of the [stolen] goods; and in addition, stand surety for

him henceforth, that he will desist from every form of crime. If he steals again after this, his kinsmen shall give him back to the reeve to whose jurisdiction the case belongs, in as helpless a condition as he was when they delivered him from the ordeal; and he shall be slain in accordance with the punishment for theft. Further, if anyone stands up for him and wishes to rescue him in order to prevent his being killed, after he has been convicted at the ordeal, he shall forfeit his life unless he appeals to the king, and the king is willing to grant him his life, just as was declared at Grately, and at Exeter, and at Thundersfield.

- First. 5. And he who wishes to avenge a thief and has recourse to violence, or comes to his aid on the high road, shall forfeit 120 shillings to the king. If, however, he slays anyone in the act of vengeance, he shall forfeit his life and all he possesses, unless the king is willing to pardon him.
- Sixth. 3. With reference to our slaves, those of us who possess slaves have declared: if anyone steals a slave, half a pound shall be paid for him. If we succeed in getting payment, he [the owner] shall receive an additional sum according to the appearance of the slave, and we shall keep the surplus of what we are awarded in the suit. If, however, a slave runs away, he shall be taken out and stoned as has already been decreed. And each man who has a slave shall pay either a penny or a halfpenny according to the numbers of the association, so as to make up the proper amount. If, however, he gets clean away, his lord shall be paid for him according to his appearance, and we shall all search for him. Then, if we catch him, he shall receive the same treatment as a Welsh thief, or he shall be hanged.
- Eighth. 3. And in addition, we shall send to the reeves in both directions, requesting from them the help of as many men as seems desirable, according to the seriousness of the case, that wrongdoers may be the more afraid of us because of our numbers. And we shall ride out against them, and avenge the wrong done to us, and slay the thief and those who support him and fight on his behalf—unless they are willing to forsake him.
- Twelfth. 1. Now again the king has been addressing his councillors at Whittlebury, and has sent word to the archbishop by Bishop Theodred, that he thinks it cruel to put to death such young people and for such slight offences, as he has learnt is the practice everywhere. He has declared now that both he himself and those with whom he has discussed the matter are of the opinion that no one should be slain who is under 15 years old, unless he is minded to defend himself, or tries to escape and refuses to give himself up. Then, he shall be struck down whether his offence be great or small—whichever it may be. But if he will give himself up he shall be put in prison, as was declared at Grately; and he shall be liberated on the same conditions [as were laid down there].
- Twelfth. 2. If he is not put in prison, none being available, they [his relatives] shall stand surety for him, to the full amount of his wergeld, that he shall desist for evermore from every form of crime. If the relatives will neither redeem him, nor stand surety for him, he shall swear, as the bishop directs him, that he will desist from every form of crime, and he shall remain in bondage

until his wergeld is paid. If he is guilty of theft after that, he shall be slain or hanged, as older offenders have been.

- Twelfth. 3. And the king has further declared, that no one shall be slain for the theft of property worth less than 12 pence unless he is minded to flee or defend himself. But in that case there shall be no hesitation, even if the property is of less value.

EDMUND (939–46)

I Edmund was promulgated at London during Easter 942/944–6 (Robertson 1925, 3). See also Wormald (1999, 308–12)

1. This is their first injunction: that those in holy orders whose duty is to teach God's people by the example of their life should observe the celibacy befitting their estate, whether they be men or women. If they fail to do so, they shall incur that which is ordained in the canon, and they shall forfeit their worldly possessions and burial in consecrated ground.
4. He who has intercourse with a nun, unless he make amends, shall not be allowed burial in consecrated ground any more than a homicide. We have decreed the same with regard to adultery.

II Edmund is undated and its place of promulgation is not known (Robertson 1925, 3).

6. Further, with respect to violation of [the king's] 'mund' and attacks on a man's house, we have ordained that he who commits either of these after this shall forfeit all that he possesses, and it shall be for the king to decide whether his life shall be preserved.

III Edmund was promulgated at Colyton (Devon) at an unknown date (Robertson 1925, 3).

4. And we have declared with regard to slaves that, if a number of them commit theft, their leader shall be captured and slain, or hanged, and each of the others shall be scourged three times and have his scalp removed and his little finger mutilated as a token of his guilt.

EDGAR (959–75)

III Edgar was promulgated at Andover. The date is not known. For this and other Edgar codes see Wormald (1999, 313–20).

4. And if anyone seeks to accuse another man falsely, so that he is injured either in property or in reputation, and if the second man can refute the charge which the first has sought to bring against him, the first shall forfeit his tongue, unless he redeem himself with his wergeld.
- 7.3. And the proved thief, or he who has been discovered in treason against his lord, whatever refuge he seeks, shall never be able to save his life, unless the king grant that it be spared.

IV Edgar was promulgated at Wihthordestan (unidentified), probably in 962 or 963 (Robertson 1925, 5).

- 1.2. If, however, through his bailiffs he repeatedly claims his rent, and the tenants proves obstinate, and thinks to stand out against it, it is to be expected that the lords anger will grow so great that he will grant him neither property nor life.
11. If, however, he makes it known that he has bought it in the presence of witnesses, and that statement proves false, he shall be regarded as a thief, and shall forfeit his head and all that he possesses; and the lord of the manor shall keep the stolen livestock, or its equivalent value, till the owner hears of it, and proves his claim to the livestock with the help of witnesses.

THE LAWS OF EDWARD AND GUTHRUM

The date and ascription of this code has been much disputed. While Liebermann (1916, 87) dated it to between 921 and 939, Whitelock demonstrated its authorship by Archbishop Wulfstan (Whitelock 1941). Wormald places the text early among Wulfstan's legal writings (1999, 389–91) suggesting a late tenth-century date.

- 6.7. If he so acts as to bring about his own death by setting himself against the laws of God and the king, no compensation shall be paid for him, if this can be proved.
10. If a criminal who has been mutilated and maimed is abandoned, and three days later he is still alive, after this time [has elapsed] he who wishes to have regard to his wounds and his soul may help him with the permission of the bishop.
11. If wizards or sorcerers, perjurers or they who secretly compass death, or vile, polluted, notorious prostitutes be met with anywhere in the country, they shall be driven from the land and the nation shall be purified; otherwise they shall be utterly destroyed in the land—unless they cease from their wickedness and make amends to the utmost of their ability.

ÆTHELRED (978–1016)

I Æthelred was promulgated at Woodstock (Oxfordshire) sometime before 1013 (Robertson 1925, 48). For the complexities of Æthelred's legislation, its connection with Archbishop Wulfstan and its transmission, see Wormald (1999, 320–45).

- 1.6. And on the second occasion (ordeal) he (a freeman) shall not be able to make any amends except by his head.
2. And if a slave is found guilty at the ordeal, he shall be branded on the first occasion.
- 2.1. And on the second occasion (ordeal) he (a slave) shall not be able to make any amends except by his head.
- 4.1. If he has no surety, he shall be slain and buried in unconsecrated ground.
- 4.2. And if anyone interposes in his defence, they shall both incur the same punishment.

II Æthelred is dated to 991 by Liebermann, although 8 and 9 are considered pieces of separate legislation of c.1000 (1916, 149). The place of promulgation is unknown.

6. If the breach of the truce takes place inside a town, the burghers themselves shall go and take the slayers alive or dead—the nearest relatives [of the slain men] shall take head for head. If they fail to do so, the ealdorman shall act; if he fails to do so, the king shall act; if he fails, that earldom shall be excluded from the provisions of this truce.

III Æthelred was promulgated at Wantage (Berkshire), probably before 1013 (Robertson 1925, 48).

- 4.1. If then he is proved guilty, he shall be struck such a blow as shall break his neck. But if he evades the ordeal, he shall pay the value [of the goods] to their owner, and 20 ores to the lord of the manor, and shall thereafter go to the ordeal.
- 7.1. And if he prove innocent at the ordeal, he shall remove his kinsman [from his grave in unconsecrated ground]. If, however, he be guilty, the thief shall lie where he is, and he himself shall pay 100 [of silver].
8. And every moneyer who is accused of striking false coins, after it was forbidden, shall go to the triple ordeal; if he is guilty, he shall be slain.
16. And moneyers who work in a wood or elsewhere shall forfeit their lives, unless the king is willing to pardon them.

IV Æthelred is dated to between 991 and 1002, although the place of promulgation is not known (Robertson 1925, 48).

4. And we have decreed that a man who, within the town, makes forcible entry into another man's house without permission and commits a breach of the peace of the worst kind ... and he who assaults an innocent person on the king's highway, if he is slain, shall lie in an unhonoured grave.
- 5.3. And they have decreed that coiners shall lose a hand, and that it shall be fastened up over the mint.
- 5.4. And moneyers who carry on their business in woods or work in other such places shall forfeit their lives, unless the king is willing to pardon them.
- 7.1. If they cannot do so, they shall forfeit their wergeld or their life, as the king shall decide, or they shall clear themselves by the same method as we have specified above, [asserting] that they were unaware that there was anything counterfeit about the money with which they were carrying on their business.

V Æthelred was promulgated at King's Enham (Hampshire) in 1008 (Robertson 1925, 49).

28. And if anyone deserts an army which is under the personal command of the king, it shall be at the risk of [losing] his life or his wergeld.
29. And if any excommunicated man, unless it be one who is a suppliant for protection, remains anywhere near the king, before he has readily submitted to the amends required by the church, it shall be at the risk of [losing] his life or his possessions.

30. And if anyone plots against the king, he shall forfeit his life, unless he clears himself by the most solemn oath determined upon by the authorities.
- 31.1. And if he offers resistance to the course of justice or commits a breach of the law, and through that brings about his own death, no compensation shall be paid for him to any of his friends.

VI Æthelred was promulgated at King's Enham in 1008 (Robertson 1925, 49).

7. And if wizards or sorcerers, magicians or prostitutes, those who secretly compass death or perjurers be met with anywhere in the land, they shall be zealously driven from this land and the nation shall be purified; otherwise they shall be utterly destroyed in the land, unless they cease from their wickedness and make amends to the utmost of their ability.
37. And if anyone plots against the king's life, he shall forfeit his life and all that he possesses, if it is proved against him, and if he seeks and is able to clear himself, he shall do so by means of the most solemn oath or by the triple ordeal in districts under English law, and in those under Danish law in accordance with their constitution.

VIII Æthelred is dated to 1014 although the place of promulgation is not known.

- 1.1. And if ever anyone henceforth violates the protection of the church of God by committing homicide within its walls, the crime shall not be atoned for by any payment of compensation, and everyone who is the friend of God shall pursue the miscreant, unless it happen that he escapes from there and reaches so inviolable a sanctuary that the king, because of that, grant him his life, upon condition that he makes full amends both towards God and men.
42. And he who keeps under his protection an excommunicated man, beyond the term fixed by the king, shall be in danger of forfeiting his life and all his property to the deputies of Christ, who shall be the defenders and upholders of the Christian religion and the royal authority, as long as God shall permit.

CNUT (1016–35)

The Proclamation of 1020 was addressed to all the king's subjects. The place of promulgation is not known (Robertson 1925, 137).

11. And likewise I enjoin upon all my reeves, under pain of forfeiting my friendship and all that they possess and their own lives, to govern my people justly everywhere, and to pronounce just judgements with the cognisance of the bishops of the dioceses, and to inflict such mitigated penalties as the bishop may approve and the man himself may be able to bear.

I Cnut was promulgated at Winchester in 1020 or 1021 (Wormald 1999, 345, n. 382).

- 2.2. Therefore it is very right and proper that the protection given by the church of God within its walls, and the protection granted by a Christian king in person, should always remain inviolate; and he who violates either of them shall lose both land and life, unless the king is willing to pardon him.

- 22.5. Verily, after his death he cannot rest in a hallowed grave among Christians or here in this life be entitled to receive the sacrament.

II *Cnut* (as I *Cnut*)

- 4a. Wizards. If wizards or sorcerers, those who secretly compass death, or prostitutes be met with anywhere in the land, they shall be zealously driven out of this land or utterly destroyed in the land, unless they cease from their wickedness and make amends to the utmost of their ability.
- 4a.2. And thieves and robbers shall forthwith be made an end of, unless they desist.
- 8.1. And he who henceforth coins false money shall forfeit the hand with which he made the false money, and he shall not redeem it in any way, either with gold or with silver.
- 8.2. And if the reeve is accused of having granted his permission to the man who coined false money, he shall clear himself by the triple oath of exculpation, and if it fails, he shall have the same sentence as the man who has coined false money.
16. And if a man seeks to accuse another man falsely in such a way as to injure him in property or reputation, and if the latter can refute the accusation brought against him, the first shall forfeit his tongue, unless he redeem himself with his wergeld.
- 25a. If, however, he cannot [do so], they shall seize him as they can, either alive or dead, and they shall take all that he has.
26. Concerning thieves. And the proved thief and he who has been discovered in treason against his lord, whatever sanctuary he seeks, shall never be able to save his life.
- 26.1. And he who steals after this—if the case is one of open theft—shall never save his life, whatever sanctuary he seeks.
- 30.4. And on the second occasion, if he is proved guilty, there shall be no compensation possible to him but to have his hands or his feet cut off or both, according to the nature of the offence.
- 30.5. And if he has wrought still greater crime, he shall have his eyes put out and his nose and his ears and upper lip cut off or his scalp removed, whichever of these penalties is desired or determined upon by those with whom rests the decision of the case; and thus punishment shall be inflicted, while, at the same time, the soul is preserved from injury.
32. And if a slave is found guilty at the ordeal, he shall be branded on the first occasion.
- 32.1. And on the second occasion he shall not be able to make any amends except by his head.
- 33.1. If he has no surety, he shall be slain and buried in unconsecrated ground.
- 33.1a. And if anyone interposes in his defence, they shall both incur the same punishment.
36. If anyone swears a false oath on the relics and is convicted, he shall lose his hand or half his wergild which shall be divided between the lord and the bishop.

- 48.1. If he wounds anyone, he shall make amends for doing so, and shall apply the full fine to the lord and redeem his hands from the bishop or lose them.
- 48.3. If he so acts as to bring about his own death by setting himself against the law, no compensation shall be paid for him, if this can be proved.
53. No woman shall commit adultery. If, while her husband is still alive, a woman commits adultery with another man and it is discovered, she shall bring disgrace upon herself, and her lawful husband shall have all that she possesses, and she shall then lose both her nose and her ears.
57. Of plotting against a lord. If anyone plots against the king or against his own lord, he shall forfeit his own life and all that he possesses, unless he goes to the triple ordeal and there proves himself innocent.
59. Concerning those who fight at the king's court. If anyone fights at the king's court, he shall lose his life, unless the king is willing to pardon him.
61. Breach of the peace. If anyone is guilty of a capital deed of violence while serving in the army, he shall lose his life or his wergild.
- 66.1. If anyone keeps or maintains an excommunicated man or an outlaw, it shall be at the risk of losing his life and his property.
77. Concerning the man who deserts his lord. And the man who, through cowardice, deserts his lord or his comrades on an expedition, either by sea or by land, shall lose all that he possesses and his own life, and the lord shall take back the property and the land which he had given him.

APPENDIX 2

A handlist of early Anglo-Saxon deviant burials

This Appendix lists all instances of prone burial, decapitation, stoning, and amputation from communal cemeteries of the fifth to early eighth centuries collected up to 2003. Examples are listed alphabetically by county within each of the four categories. Details of sex, orientation, date, and other features relating to each burial can be found in Reynolds 1998, Appendix 2. References to published cemetery reports are provided, where details of individual burials can be found.

2.1. PRONE BURIALS

- BEDFORDSHIRE: Puddlehill 10 (Matthews and Hawkes 1985, 91); Toddington unnumbered (Meaney 1964, 40); Totternhoe D2, D9 (Matthews 1962, 30, 31)
- BERKSHIRE: Abingdon 1, 29, 51 (Leeds and Harden 1936, 31, 36, 40–1); Frilford I 18 (Rolleston 1869, 437, 477)
- BUCKINGHAMSHIRE: Westbury-by-Shenley 55280 (Ivens, Busby, and Shepherd 1995, 71–4)
- CAMBRIDGESHIRE: Burwell 24 (Lethbridge 1924–5, 79); Edix Hill 16, 40 (Malim and Hines 1998, table 3.3); Little Downham unnumbered (Meaney 1964, 64); Little Wilbraham unnumbered, 24 (Deck 1851, 170; Neville 1852, 15); Shudy Camps 14 (Lethbridge 1936, 5)
- CO. DURHAM: Norton 17, 28, 47, 84, 91, 99, 116 (Sherlock and Welch 1992, 29, fig. 12).
- ESSEX: Cressing 1479 (T. Robey, pers. comm. 1995); Great Chesterford 86, 103 (Evison 1994, 30); Mucking II 690b (D. Clarke, pers. comm. 1997); Prittlewell 6 (Tyler 1988, 94)
- GLOUCESTERSHIRE: Bishop's Cleeve 6 (Holbrook 2000, 69); Lechlade 15, 74, 126 (Boyle *et al.* 1998, 59–60, 85–6, 108).
- HAMPSHIRE: Droxford 7 (Aldsworth 1979, 114); Meonstoke 4 (Stoodley and Stedman 2001, 146; Worthy Park 12, 43 (Hawkes and Wells 1975, 118)
- HUNTINGDONSHIRE: Houghton unnumbered (Meaney 1964, 106)
- KENT: Beakesbourne II 27 (Meaney 1964, 109); Dollands Moor 1 (Gaimster, Margeson and Hurley 1990, 198, No. 157); Dover Buckland 67 (Evison 1987, 133–4); Richborough unnumbered (Bushe-Fox 1949, 80).
- LINCOLNSHIRE: Castledyke 71, 85, 98, 148, 150, 161, 166b, 172 (Drinkall and Foreman 1998, 214–20, table 2); Ruskington 3 unnumbered (Harman, Molleson, and Price 1981, 187, no. 77)
- NORFOLK: Caistor-by-Norwich 21, 23 (Myres and Green 1973, 226); Caister-on-Sea 1 (Darling and Gurney 1993, 45); Swaffham 15 (Hills and Wade-Martins 1976, 7)

- NORTHAMPTONSHIRE: Great Addington I unnumbered (Meaney 1964, 186); Hold-enby unnumbered (Meaney 1964, 190); Wakerley 77 (Adams and Jackson 1990, 69–178)
- NOTTINGHAMSHIRE: Broughton Lodge 105 (Kinsley 1993, 51)
- OXFORDSHIRE: Chadlington 7 (Leeds 1940, 28); Cuddesdon unnumbered (Anon. 1847, 157–9); Standlake 1 (Dickinson 1973, 243); Watchfield 127 (Scull 1992, 192); Wheatley 45 (Leeds 1916, 58)
- RUTLAND: Empingham 5, 53, 107, 110, 113a, 113b, 122, 125 (Timby 1996, 18)
- SOMERSET: Camerton 68, 70, 108 (Horne 1933, 55, 63)
- SUFFOLK: Buttermarket 1674 (Scull, forthcoming); Holywell Row 3a, 26 (Lethbridge 1931, 2, 17); Snape 44 (Filmer-Sankey and Pestell 2001, 94); Westgarth Gardens 32, 60 (West 1988, 28)
- SURREY: Farthingdown unnumbered (Meaney 1964, 241; Hope-Taylor 1950, 170); Mitcham 31, 44, 64, 132 (Bidder and Morris 1959, 62, 64, 69)
- SUSSEX: Highdown 177, Piddinghoe unnumbered, Woodingdean O (Welch 1983, 482, 421, 425)
- WARWICKSHIRE: Stretton-on-Fosse 3 (N. Stoodley, pers. comm. 2003); Wasperton 1, 138 (Youngs and Clark 1982, 211; J. Scheschkewitz, pers. comm. 2003)
- WILTSHIRE: Blacknall Field 71 (Annable and Eagles, forthcoming); Collingbourne Ducis 11 (Gingell 1975–6, 78–9).
- WORCESTERSHIRE: Beckford 48, 57, 63 (Evison and Hill 1996, 27, table 17).
- YORKSHIRE EAST RIDING: Elloughton unnumbered (Sheppard 1940, 162); Market Weighton unnumbered (Meaney 1964, 295); Sewerby 26, 41, 57 (Hirst 1985, 22–23)
- YORKSHIRE NORTH RIDING: West Heslerton 006, 017, 070, 089, 113, 114, 118, 126, 132, 147, 155, 166 (Haughton and Powlesland 1999, 91, fig. 53 and 371–4)

2.2. DECAPITATIONS

- BERKSHIRE: Abingdon 48 (Leeds and Harden 1936)
- CAMBRIDGESHIRE: Burwell 80 (Lethbridge 1931, 62); Linton Heath 78 (Neville 1854, 110); Melbourn 5 (Wilson 1956, 31)
- ESSEX: Cressing 1479 (T. Robey, pers. comm. 1995)
- HAMPSHIRE: Alton 37 (Evison 1988, 29); Portway East 23 (Cooke and Dacre 1985, 29, 56); Portway West 3a, 3b (Stoodley 2006); Winnall II 11, 23, 28 (Meaney and Hawkes 1970, 12, 14, 16)
- ISLE OF WIGHT: Bowcombe Down 1, 5, Chessell Down 24, 41 (Arnold 1982, 90–1, 23, 26)
- KENT: Lyminge 34 (Warhurst 1955; Evison 1987, 162–4)
- LINCOLNSHIRE: Loveden Hill 4 unnumbered (Meaney 1964, 158; Wilkinson 1980, 230); Sleaford 175 (Thomas 1887, 400); Welbeck Hill 12 (Swanton 1973, 207; Evison 1987, 27–8)
- NORFOLK: Caistor-by-Norwich 37 (Myres and Green 1973, 230)
- NORTHAMPTONSHIRE: Great Addington 3 unnumbered (Meaney 1964, 186); Nassington A, 31 (Leeds and Atkinson 1944, 110, 112)

OXFORDSHIRE: Brighthampton 40b (Akerman 1857, 391–8); Chadlington 7, 9, 10 (Leeds 1940, 28); Wheatley 2 (Leeds 1916, 50)
 STAFFORDSHIRE: Stapenhill 28 (Heron 1889, 167)
 SUFFOLK: Little Eriswell 12 (Hutchinson 1966, 1–32)
 SURREY: Mitcham 15, 54, 62, 87, 136, 207, 209 (Bidder and Morris 1959, 59, 63, 64, 65, 69, 73, 74)
 SUSSEX: Alfriston 26, Blackpatch 2iii, 12i, Burpham 3, Kingston ?7 (Welch 1983, 354–5, 459, 460, 489, 418); Blackpatch (Russell 2001, 57–8, 80–1)
 WARWICKSHIRE: Bidford-onAvon 138 (Humphreys, Ryland and Wellstood 1924, 273); Stretton-on-Fosse 4 (Swanton 1973, 207); Wasperton 18, 56 (J. Scheschkewitz, pers. comm. 2003)
 YORKSHIRE EAST RIDING: Elloughton unnumbered (Sheppard 1940, 162)

2.3. STONED BURIALS

BERKSHIRE: Abingdon 23, 25, 29, 57, 66, 70, 81, 111 (Leeds and Harden 1936, 35, 36, 42, 44, 47, 52–3); Frilford II unnumbered (Bradford and Goodchild 1939, 37–9; Meaney and Hawkes 1970, 31)
 GLOUCESTERSHIRE: Lechlade 18 (Boyle *et al.* 1998, 61–3)
 HAMPSHIRE: Winnall II 24i, 24ii, 25 (Meaney and Hawkes 1970, 15)
 KENT: Dover Buckland 10, 161, Orpington 26 (Evison 1987, 17 and 164–6)
 LINCOLNSHIRE: Loveden Hill 8 unnumbered (Meaney 1964, 158–9)
 NORFOLK: Spong Hill 47 (Hills, Penn and Rickett 1984, 102)
 NORTHAMPTONSHIRE: Nassington 29 (Leeds and Atkinson 1944, 109)
 NOTTINGHAMSHIRE: Broughton Lodge 10, 14, 15, 16, 24, 33, 35, 36, 42, 45, 46, 53, 79, 85, 94, 95, 101, 102, 103, 104, 106, 107, 108, 109 (Kinsley 1993, 29–40, 47, 50, 51)
 OXFORDSHIRE: Brighthampton 6, 18, 48 (Akerman 1857, 394); Lyneham H1, 2 (Conder 1895, 405–10)
 SUFFOLK: Carlton Colville 2 unnumbered (R. Mortimer, pers. comm. 2003)
 SUSSEX: Alfriston 19 (Welch 1983, 352); Appledown II 173 (Down and Welch 1990, 56), Woodingdean O, 3 (Welch 1983, 425)
 WARWICKSHIRE: Bidford-onAvon 138 (Humphreys, Ryland, and Wellstood 1924, 273)
 WILTSHIRE: Alvediston 1c (Clay 1926, 435–7); Collingbourne Ducis 1 (Gingell 1975–6, 67)
 YORKSHIRE EAST RIDING: Sewerby 41 (Hirst 1985, 39)

2.4. AMPUTATIONS

BEDFORDSHIRE: Puddlehill 2 (Matthews and Hawkes 1985, 89); Totternhoe D7 (Matthews 1962, 31)
 GLOUCESTERSHIRE: Kemble III (King, Barber, and Timby 1996, 28–9)

HAMPSHIRE: Alton 35 (Evison 1988, 29); Winnall II 35, 46 (Meaney and Hawkes 1970, 17, 19)

LINCOLNSHIRE: Loveden Hill 2 unnumbered (Meaney 1964, 158–9; Wilkinson 1980, 230)

SOMERSET: Camerton 83 (Horne 1933, 58)

SUFFOLK: Westgarth Gardens 32 (West 1988, 28)

SUSSEX: Blackpatch 10 (Welch 1983, 460; Russell 2001, 77)

WILTSHIRE : Blacknall Field 71 (Annable and Eagles, forthcoming)

YORKSHIRE NORTH RIDING: West Heslerton 114 (Haughton and Powlesland 1999, 91, fig. 53 and 371–4)

APPENDIX 3

A handlist of select burials from execution cemeteries

3.1. PRONE BURIALS FROM ANGLO-SAXON EXECUTION CEMETERIES

BEDFORDSHIRE: Dunstable 17, 28, 35; Galley Hills 12, 13

BERKSHIRE: Castle Hill F3

CAMBRIDGESHIRE: Chesterton Lane 6; Wandlebury 6

HAMPSHIRE: Meon Hill 4, 7; Old Dairy Cottage 560; Stockbridge Down 6, 13, 15, 34, 38, 39, 41

MIDDLESEX: Staines S277, S286, S419, S441, S452, S454

NORFOLK: South Acre 17, 22, 48, 53, 71, 79, 95

SUFFOLK: Sutton Hoo 19, 25, 32, 33, 42a, 43, 48, 53

SURREY: Ashted S11, S18; Eashing 6; Guildown 152, 159, 167, 168, 204; Hog's Back B

SUSSEX: Malling Hill 1

WILTSHIRE: Roche Court Down 1, 8

3.2. BODIES LYING ON THE SIDE FROM ANGLO-SAXON EXECUTION CEMETERIES

BEDFORDSHIRE: Dunstable 21

HAMPSHIRE: Old Dairy Cottage 577; Stockbridge Down 4, 11

MIDDLESEX: Staines S431, S442

NORFOLK: South Acre 18, 101, 114, 120, 125, 126

SUFFOLK: Sutton Hoo 27, 34, 36, 40, 41, 46, 50, 54

SURREY: Guildown 108, 148, 161

SUSSEX: Burpham 2, 3, 4

WILTSHIRE: Bokerley Dyke 4, 17, 18

YORKSHIRE EAST RIDING: Walkington Wold 13, 14

3.3. BODIES BENT OVER FORWARDS OR BACKWARDS FROM ANGLO-SAXON EXECUTION CEMETERIES

BEDFORDSHIRE: Galley Hills 14

HAMPSHIRE: Stockbridge Down 35

NORFOLK: South Acre 65

SUFFOLK: Sutton Hoo 24, 28, 38, 39, 55

WILTSHIRE: Roche Court Down 3, 17

3.4. BURIALS WITH THE HANDS TIED BEHIND THE BACK FROM ANGLO-SAXON EXECUTION CEMETERIES

BEDFORDSHIRE: Dunstable 1, 6, 10, 13, 22, 24, 28, 29, 30, 31, 35, 36, 37, 38, 39, 40, 42, 43, 44, 45, 54, 55, 56, 57, 64, 65, 66, 70, 85; Galley Hills 12

HAMPSHIRE: Meon Hill 1, 4, 9; Old Dairy Cottage 560, 562a, 575/8; Stockbridge Down 2, 8, 16, 25, 27, 28, 29, 30, 32, 34, 37, 39

MIDDLESEX: Staines S286, S432, S441

NORFOLK: South Acre 22

SUFFOLK: Sutton Hoo 39, 49

SURREY: Ashted S8, S9, S11, S21, S506; Gally Hills 1, 2; Guildown 141, 148, 149, 151, 159, 160, 164, 167, 168, 170, 171, 172, 178, 179, 182, 198, 199, 200, 203, 209, 211, 212

SUSSEX: Malling Hill 1

WILTSHIRE: Old Sarum 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14; Roche Court Down 4, 5, 14, 18

3.5. BURIALS WITH THE HANDS TIED IN FRONT FROM ANGLO-SAXON EXECUTION CEMETERIES

BEDFORDSHIRE: Galley Hills 3

BERKSHIRE: Castle Hill F3

CAMBRIDGESHIRE: Chesterton Lane 5

HAMPSHIRE: Meon Hill 7; Old Dairy Cottage 553; Stockbridge Down 14, 20, 23, 38

MIDDLESEX: Staines S226, S366, S439

SUFFOLK: Sutton Hoo 25, 26, 31, 37, 38

SURREY: Guildown 106, 115, 117, 118, 119, 121, 128, 153, 155, 163, 166, 181, 183, 187, 188, 190, 192, 193, 194, 205, 217

WILTSHIRE: Roche Court Down 1, 7, 10, 15

3.6. BURIALS WITH TIED HANDS UNSPECIFIED AND MISCELLANEOUS FROM ANGLO-SAXON EXECUTION CEMETERIES

BEDFORDSHIRE: Dunstable 32, 63, 80, 81, 83, 84

CAMBRIDGESHIRE: Chesterton Lane 6

NORFOLK: South Acre 23

SUFFOLK: Sutton Hoo 19, 29

SURREY: Guildown 88, 169

YORKSHIRE EAST RIDING: Walkington Wold 5

3.7. BURIALS WITH TIED LEGS FROM ANGLO-SAXON EXECUTION CEMETERIES

MIDDLESEX: Staines S277, S366

NORFOLK: South Acre 8, 38, 65, 125

SUFFOLK: Sutton Hoo 25, 36, 39, 40

3.8. DECAPITATIONS FROM ANGLO-SAXON EXECUTION CEMETERIES
(POSITION OF SKULL WHERE KNOWN IS INDICATED BY THE FOLLOWING
ABBREVIATIONS: N—NORMAL; M—MISSING; T—TRUNCATED;
D—DISPLACED; RBN—ROTATED BY NECK; BLK—BESIDE LEFT KNEE;
BRK—BESIDE RIGHT KNEE; URL—UPPER RIGHT LEG; ULL—UPPER LEFT
LEG; BBRK—BESIDE AND BELOW RIGHT KNEE; BBLK—BESIDE AND BELOW
LEFT KNEE; BBK—BETWEEN LEGS BELOW KNEES; BT—BETWEEN THIGHS;
BK—BETWEEN KNEES; OC—ON CHEST; ORA—ON RIGHT ARM; AF—AT
FEET; BLS—BELOW LEFT SHOULDER)

BEDFORDSHIRE: Dunstable 17 (m), 24 (m), 47 (m), 51 (m), 87 (m)

CAMBRIDGESHIRE: Bran Ditch 4 (rbn), 13 (m), 14 (m), 19 (m), 29 (m), 30 (rbn), 47
(m), 48 (m); Chesterton Lane 4 (n), 5 (n), 8 (n), 9 (bbk)

DORSET: Wor Barrow 5 (m), 6 (m), 7 (rbn), 10 (m), 12 (m), 13 (blk), 15 (blk), 16 (m),
17 (m), 18 (m), 19 (m)

HAMPSHIRE: Meon Hill 2 (bbk), 5 (bk), 7 (bt), 9 (bk), 10 (ull); Old Dairy Cottage
525 (brk), 528 (rbn), 531 (url), 560 (bbrk), 562a (url), 565 (rbn), 575/8 (ull);
Stockbridge Down 8 (m), 17 (bbk), 19 (bbk), 41 (m)

MIDDLESEX: Staines S277 (ull)

NORFOLK: South Acre 8 (?n), 25 (?n), 26 (?n), 45 (ull), 46 (?n), 75 (?n), 77 (?n), 82
(blk), 89 (?rbn), 95 (url), 96 (?n), 98 (rbn), 101 (?n), 107 (?n), 109 (?n), 112 (?n)

SUFFOLK: Sutton Hoo 18 (rbn), 23 (rbn), 24 (rbn), 35 (ora), 40 (rbn), 42a (?n), 42b
(rbn), 48 (bbk), 52 (rbn), 54 (?rbn)

SURREY: Ashted S6 (bbk), S18 (rbk), S542 (m); Guildown 60 (bbk), 90 (m), 106
(bbk), 150 (m), 169 (m)

WILTSHIRE: Roche Court Down 2 (d), 4 (oc), 5 (rbn), 6 (bt), 7 (bbk), 8 (d), 10 (rbn),
14 (d), 15 (d), 17 (ora), 18 (bk)

YORKSHIRE EAST RIDING: Walkington Wold 6 (m), 7 (m), 8 (m), 9 (m), 10 (m), 12
(m), 13 (af), 14 (m)

3.9. BURIALS OF FEMALES FROM ANGLO-SAXON EXECUTION CEMETERIES (? = QUESTIONABLE ATTRIBUTION OF SEX)

BEDFORDSHIRE: Dunstable 22, 40, 50; Galley Hills 7, 9, 12, 23

BERKSHIRE: Castle Hill F3, ?F8

CAMBRIDGESHIRE: Bran Ditch 21, 34; Chesterton Lane 8; Wandlebury 5

HAMPSHIRE: Meon Hill 8; Old Dairy Cottage 518, 528

MIDDLESEX: Staines S440

NORFOLK: South Acre ?17, ?18, ?21, 23, ?24, 26, 30, ??31, 32, ??37, ?39, ?51, 53, ?56, ??61, 64, ?66, ??69, ??77, ??78, ??79, ??80, 86, ??86a, 89, ??91, ?94, 95, ??97, 99, ??107, ??114, ?115, ??117, 121, ?129

SUFFOLK: Sutton Hoo 42a, 43

SURREY: Ashted S506; Eashing 6

WILTSHIRE: Bokerley Dyke 2; Roche Court Down 3

3.10. BURIALS WITH OBJECTS (STONES UNLESS OTHERWISE STATED) PLACED OVER THE CORPSE FROM ANGLO-SAXON EXECUTION CEMETERIES

BERKSHIRE: Abingdon 1, 2

HAMPSHIRE: Meon Hill 4; Old Dairy Cottage 575/8 (human bones)

NOTTINGHAMSHIRE: Crosshill A

SUFFOLK: Sutton Hoo 20, 53 (planks)

SURREY: Guildown 103

SUSSEX: Burpham 2

WILTSHIRE: Roche Court Down 5, 6

3.11. BURIALS WITH INDICATIONS OF INJURY AND MUTILATION FROM ANGLO-SAXON EXECUTION CEMETERIES

BEDFORDSHIRE: Dunstable 22 (wrists broken), 50 (left arm removed); Galley Hills 7 (left arm between legs), 14 (?mutilated)

CAMBRIDGESHIRE: Bran Ditch 9 (separated at waist), 13 (separated at waist), 17 (face smashed by edged weapon), 30 (separated at waist, mandible missing), 33 (separated at waist), 46 (separated at waist), 50 (separated at waist), 51 (separated at waist), 54iii (blow to right scapula with edged weapon), 55iv three wounds to skull

DORSET: Wor Barrow 6 (feet cut off below knees)

HAMPSHIRE: Meon Hill 2 (hole in right temple)

MIDDLESEX: Staines S451 (hole in left side of skull)

NOTTINGHAMSHIRE: Crosshill B (separated at waist)

SUFFOLK: Sutton Hoo 48 (right arm detached), 55 (left arm severed, femur missing)

SURREY: Gally Hills 1 (right forearm broken); Guildown 88 (lower legs and feet missing), 148 (right leg dislocated), 152 (spine dislocated), 167 (legs cut off at knees), 168 (holes on pelvic bones), 169 (head feet and arms cut off), 170 (left leg broken), 189 (skull broken)

SUSSEX: Burpham 1 (partial corpse)

WILTSHIRE: Bokerley Dyke 4 (toes cut off but healed); Roche Court Down 3 (missing from waist up), 4 (injury to forehead), 5 (skull smashed), 9 (feet only)

YORKSHIRE EAST RIDING: Walkington Wold 12 (wound in lower back from edged weapon), 15 (right leg only)

3.12. DOUBLE BURIALS FROM ANGLO-SAXON EXECUTION CEMETERIES (M = MALE, F = FEMALE: INDICATED WHERE KNOWN)

BEDFORDSHIRE: Dunstable 5/6, 29/30, 39/40 (-/F), 57/62, 70/71, 80/81; Galley Hills 1/2 (M/M), 9/11 (F/M), 23/24 (F/M)
 DORSET: Wor Barrow 5/6 (M/M), 13/15 (M/M), 16/17 (M/M), 18/19 (M/M)
 HAMPSHIRE: Old Dairy Cottage 562a/562b (M/-), 565/577 M/(M); Stockbridge Down 5/6 (M/M), 11/12 ((M/M)
 MIDDLESEX: Staines S215/S440 (-/F), S441/S442, S451/S452
 NORFOLK: South Acre 5/6 (?M/-), 99/100 (F/-), 112/113, 115/116 (?F/-)
 SUFFOLK: Sutton Hoo 23/24 (M/M), 32/33
 SURREY: Guildown 1/2, 7/9, 13/14, 15/16, 90/91, 114/115, 127/128, 160/161, 201/202, 208/209, 211/212, 219/220
 WILTSHIRE: Bokerley Dyke 17/18 ((M/M); Roche Court Down 2/8 (M/M), 12/13 (M/M)

3.13. TRIPLE BURIALS FROM ANGLO-SAXON EXECUTION SITES (M = MALE, F = FEMALE: INDICATED WHERE KNOWN)

BEDFORDSHIRE: Dunstable 22/23/24 (F/-/-), 54/55/56 (M/-/-), 63/84/91; Galley Hills 12/13/14 (F/M/M)
 BERKSHIRE: Abingdon 1/2/7 (M/M/-)
 MIDDLESEX: Staines S432/S433/S434 (M/-/-)
 NORFOLK: South Acre 62/63/64 (M/M/F)
 SUFFOLK: Sutton Hoo 42a/42b/43 (?F/M/F)
 SURREY: Guildown 27/28/29, 92/93/94, 117/118/119, 132/133/134, 167/168/169, 170/171/172, 173/174/175, 176/177/190, 178/179/180, 187/188/189, 192/193/194, 198/199/200, 217/218/222
 WILTSHIRE: Roche Court Down 4/5/7 (M/M/M)
 YORKSHIRE EAST RIDING: Walkington Wold 7/8/9 (M/M/M)

3.14. BURIALS WITH ASSOCIATED FINDS FROM ANGLO-SAXON EXECUTION CEMETERIES

BEDFORDSHIRE: Dunstable 21 (Fe D-shaped buckle and Cu alloy lace-tag), 22 (perforated RB coin of Gothicus on chest), 31 (RB coin of Valens found 'close by'), 35 (Fe arrowhead and 7th century buckle found 'near'), 42 (Fe key on right side of skeleton); Galley Hills 21 (Fe strap hinge below corpse), 23/24 (six Cu alloy mounts underneath both corpses)
 CAMBRIDGESHIRE: Bran Ditch 7 (Fe knife and belt-slide), 56v (broken RB pot placed around head)
 DORSET: Wor Barrow 2 (RB coin of Constantine II)
 HAMPSHIRE: Meon Hill 4 (Cu alloy ring by right ear and Cu alloy hooked tag by right hand), 5 (silver coin of Edward the Confessor by right hand—Cu alloy dagger

chape and Fe D-shaped buckle by left hip), 7 (Fe rectangular buckle by feet), 9 (Cu alloy ring by right ear); Old Dairy Cottage 518 (Fe buckle to left of pelvis), 525 (cow humerus by right knee), 528 (Fe buckle near right shoulder), 560 (Fe buckle under pelvis), 565 (four neonatal lambs over legs); Stockbridge Down 14 (remains of a leather belt with a 'few' Cu alloy rivets), 19 six coins of Edward the Confessor in the left armpit), 24 (Cu alloy tag by right hand), 28 (Cu alloy buckle on forehead, three Fe rings by waist), 31 (Fe D-shaped buckle by right hip), 32 (Fe D-shaped buckle by pelvis), 37 (skull of sheep to right of neck), 38 (Cu alloy buckle 'near' wrists)

MIDDLESEX: Staines S346 (RB coin in grave-fill)

NORFOLK: South Acre 3 (Fe hook in grave-fill), 62–4 (early Anglo-Saxon pottery sherd in grave-fill), 74 (Fe rod from grave-fill), 77 (bird bone in grave-fill), 84 (wood fragments in mouth)

SUFFOLK: Sutton Hoo 27 (pieces of wood in grave), 33 (piece of wood in grave), 35 (wooden object between legs), 37 (organic find in grave), 38 (organic object in grave), 53 (planks over corpse), 55 (11th/12th -century pottery in grave-fill)

SURREY: Ashted S18 (?leather belt in grave), S537 (Fe buckle and belt-slide by right hip); Eashing 6 (Cu alloy pin near head); Guildown 93 (Fe D-shaped buckle on pelvis), 101 (Fe D-shaped buckle by left shoudler), 127 (Fe D-shaped buckle on pelvis), 173 (half of a silver halfpenny of Edward the Confessor (1043) on pelvis), 180 (Fe D-shaped buckle at waist), 183 (perforated slate hone found by pelvis), 196 (Cu alloy buckle in grave fill), 208 (Cu alloy oval buckle at waist with traces of leather), 222 (Cu alloy ring by right side)

WILTSHIRE: Bokerley Dyke 17 (coin of Constantine on pelvis); Old Sarum 1 (Cu D-shaped buckle by left hip), 2 (Cu buckle by left hip)

YORKSHIRE EAST RIDING: Walkington Wold 4 (coin of Claudius Gothicus by right shoulder)

APPENDIX 4

A handlist of execution and related sites, and burial places, in Anglo-Saxon charter bounds

The burial sites in this handlist were collected initially by reference to the database of Anglo-Saxon charter bounds maintained by Dr Joy Jenkins, with further material revealed by wider research. Sites are listed alphabetically by term, ostensibly in chronological order, with a running numerical sequence for the whole series. References to named individual burials and burial sites, and to miscellaneous terms, follow the term-by-term lists. The meaning of individual terms is taken from Bosworth and Toller's *Anglo-Saxon Dictionary* (B+T), and the whole list was checked by Dr John Baker of Nottingham University. The purported date of the charter to which each set of bounds is attached is given, along with the modern place-name and a reference to Sawyer's 1968 handlist. Where known, the status of the boundary upon which each site is located is noted. References are also given to the published source for each charter in the editions of Birch, Kemble, or otherwise, and all texts were checked against the electronic list maintained by Sean Miller at www.anglo-saxons.net). Certain sets of bounds exist in isolation (i.e. without an accompanying charter and therefore undated) and these are listed last within each category. R = term repeated in later or adjoining boundary clause. Instances of more than one burial site in a set of bounds are indicated thus: 1st of 2, 2nd of 2, etc.

CWEALMSTOW, 'A PLACE OF EXECUTION' (B+T, 176)

1. swa to þære ealdan cwealmstowe (dat sg), 'so to the old killing-place'. AD 909. Chilcomb (Hampshire). Boundary: hundred. S376 (Birch 620).
2. swa est be þære stræte (dat sg) oð þa cwealmstowe (acc sg) æt *Maccanho*, 'so east by the street as far as the killing-place at *Maccanho*' [the county boundary]'. AD 1012. Fen Stanton (Huntingdonshire). Boundary: hundred and county. S1562 (Perceval 1865, 47–50).
3. up on icen hilde weg. on þæne hæðenan byriels (acc sg). of icen hilde wege innan þa cwealm stowe (dat sg), 'up to Icknield Way. to the heathen burial. from Icknield Way inside the killing-place'. AD 1047–70. Little Hinton (Wiltshire). Boundary: estate. S1588 (Birch 479).

GABULOS, 'A GALLOWS' (GLARE 1982, 752) AND GEALGA, 'A GALLOWS, GIBBETT, CROSS' (B+T, 365)

4. in longum valli progressa in illa antiqua monumenta in locum ubi a ruricolis dicitur. æt ðam holen stybbum. sicque ad illos gabulos. in longum gemærweges. to wadbeorge, 'and so along the dyke to those ancient monuments at the place the natives call "at the hollow-stumps". and so to those gallows. along boundary

way. to woadbarrow'. AD 778. Little Bedwyn (Wiltshire). Boundary: hundred. S264 (Birch 225).

5. an gabul dene (acc or dat sg) eastewearde, 'to gallow's valley eastwards'. AD 854. Not located. S1862 (Birch 480).
6. fram Hunan bricge (dat sg) to þam galhtreowe (dat sg), 'from Hun's bridge to the gallow's tree'. AD 956. Kettering (Northamptonshire). Boundary: hundred. S592 (Birch 943).
7. on geaggan treow (acc sg); of ðam treowe (dat sg) on ða bradan stræte (acc sg), 'to gallow's tree; from the tree to the broad street'. AD 985. Wolverhampton (Staffordshire). Boundary: hundred. S860 (Kemble 650).

HANGIAN, 'TO HANG, BE SUSPENDED' (B+T, 510)

8. 7lang gemæres þæt on lic hangan, 'along [the] boundary to [the place where the] corpses hang'. AD 948. Stanmore (Berkshire). Boundary: hundred. S542 (Birch 866).
9. þær þa ðeofes hangað, 'where the thieves hang'. AD 1012. Wetmoor (Staffordshire). Boundary: hundred. S930 (Shaw 1798, 20).

HEAFOD STOCC, 'HEAD- STAKE' (B+T, 513 AND 923)

10. eft sona up to heafod stoccan (dat pl). of heafod stocca (dat pl). and lang stræt, 'immediately afterwards up to [the] head-stakes. from [the] head-stakes. along [the] street'. AD 854. Headbourne Worthy (Hampshire). Boundary: hundred. S309 (Birch 473). R11, 19.
11. be hearpaðe to heafod stoccum (dat pl), 'by [the] army road to [the] head-stakes'. AD 909. Chilcomb (Hampshire). Boundary: hundred. S376 (Birch 620). R10, 19.
12. þanon on þa heafod stoccas (acc pl), 'whence to the head-stakes'. AD 932. Meon (Hampshire). Boundary: hundred. S417 (Birch 689).
13. of ðam widan geate forð to þam heafod stoccan (dat pl), þanon 7 lang dic, 'from the wide gate forth to the head-stakes, whence along [the] ditch'. AD 934. Enford (Wiltshire). Boundary: hundred. S427 (Birch 705).
14. on mere wei þat it comigt on þere hevedstock (dat sg (fem.), or scribal error, in which case acc sg?), 'to boundary way [so] that it comes to the head-stake'. AD 940. Batcombe (Somerset). Boundary: hundred. S462 (Birch 749).
15. to þan herepaþe at heafod stoccan (dat pl), 'to the army road at [the] head-stakes'. AD 955. Berwick (Wiltshire). Boundary: hundred. S582 (Birch 917). R16.
16. 7lang here paðes to þam heafod stoccum (dat pl), 'along [the] army roads to the head-stakes'. AD 955. Chalke (Wiltshire). Boundary: hundred. S582 (Birch 917). R15.
17. be gemære þæt on ða heafod stoccas (acc pl), 'by [the] boundary then to the head-stakes'. AD 956. Tadmarton (Oxfordshire). Boundary: estate. S611 (Birch 966).
18. suð onðlang gemæres þæt hit cimð to þam heafud stocun (dat pl), 'south along [the] boundary to the head-stakes'. AD 958. Longworth (Berkshire). Boundary: hundred. S654 (Birch 1028).

19. 7lang stret to þam eafod stoccan (dat pl), 'along [the] street to the head-stakes'. AD 961. Easton (Hampshire). Boundary: hundred. S695 (Birch 1076). R10 and 11.
20. on heafod stoccas (acc pl), 'to [the] head-stakes'. AD 961. *Hamstede*. Not located. S698 (Birch 1075).
21. on þa heafod stoccas (acc pl), 'to the head-stakes'. AD 963. Kingston Lisle (Berkshire). Boundary: estate. S713 (Birch 1121).
22. on þa ealdan dic æt þæm heafod stoccan (dat pl), 'to the old ditch at the head-stakes'. AD 968. Hanney (Berkshire). Boundary: estate. S759 (Birch 1224).
23. on þære grene wei, onne þe heued stokes (acc pl), 'to the green way to the head-stakes'. AD 983. Tisbury (Wiltshire). Boundary: estate. S850 (Earle 1888, 429–30).
24. of þære ham dic innan þa heafod stoccas (acc pl), 'from the home ditch in among the head-stakes'. AD 1047–70. Little Hinton (Wiltshire). Boundary: estate. S1588 (Birch 479).
25. æfter foss to þam heafod stocce (dat sg), 'after [the] road to the head-stake'. Bounds not dated. Donnington (Gloucestershire). Boundary: hundred. S115 (Birch 29).

HEATHEN

26. on hæðen beorgas (dat pl), 'to heathen barrows'. AD 1003. Bengeworth (Worcestershire). Boundary: hundred. S1664 (Kemble 1299).
27. of leofwynne mearce to þam hæþenan beorge (dat sg), 'from Leofwine's boundary to the heathen barrow'. AD 1019. Drayton (Hampshire). Boundary: hundred. S956 (Edwards 1866, 324–6).

HEATHEN BURIALS

28. on þæne hæþena byregels (acc sg), 'to the heathen burial'. AD 759 for 774 (Bounds 10th cent.). Pyrton (Oxfordshire). Boundary: estate. S104 (Birch 216). R73.
29. to þam hæðenan byrigelse (dat sg), 'to the heathen burial'. AD 816 (Bounds 11th cent.). Hawling (Gloucestershire). Boundary: hundred. S179 (Birch 356).
30. And lang dic to ðem heþenum birigelsum (dat pl), 'Along the ditch to the heathen burials'. AD 826 (Bounds 10th cent.). Droxford (Hampshire). Boundary: hundred. S276 (Birch 393). R40.
31. of þæræ hyrnan on stan mærae. þonon to þæn æþænan byrigelsæ (dat sg), 'from the corner to [the] stony pool. whence to the heathen burial'. AD 856. *Æscesbyrig* (Berkshire). Boundary: hundred. S317 (Birch 491). R43 and 54.
32. 7lang icenhylte oþ þone hæðenan byrgels (acc sg). þanon on cynges stræt, 'along Icknield [Way] as far as the heathen burial. whence to [the] king's street'. AD 903. Risborough (Buckinghamshire). Boundary: hundred. S367 (Birch 603).
33. þæt to þæm heþenan byrigelse (dat sg), 'then to the heathen burial'. AD 909. Overton (Hampshire). Boundary: hundred. S377 (Birch 625).
34. Swa norð of þone æþena byrigels (acc sg), 'So north from the heathen burial'. Early 10th cent. Crawley (Hampshire). Boundary: hundred. S381 (Birch 629).

35. up to þam hæþenan byrgelsan (dat pl), þanon on scortan dic, 'up to the heathen burials, whence to [the] short ditch'. AD 921. Collingbourne Kingston (Wiltshire). Boundary: hundred. S379 (Birch 635).
36. Ærest on ðone stan æt þam hæðenan byrgelsan (dat pl), 'First to the stone at the heathen burials'. AD 931. Watchfield (Berkshire). Boundary: hundred. S413 (Birch 675).
37. fram þam pytte east on þa hæþenan byrigelsas (acc pl), þonne of þam byrgelsum (dat pl) to þam sealtherpoþe, 'from the pit east to the heathen burials. then from the burials to the saltworks path'. AD 931. Cold Ashton (Gloucestershire). Boundary: hundred. S414 (Birch 670).
38. and lang wæges on ðone æþenan byrigæls (acc sg), 'along [the] ways to the heathen burial'. AD 934. Enford (Wiltshire). Boundary: estate. S427 (Birch 705).
39. ut to þan hæþanne byrgelse (dat sg), 'out to the heathen burial'. AD 937. Burcombe (Wiltshire). Boundary: hundred. S438 (Birch 714). R48.
40. Andlang dic to þam æþenan byrigelsum (dat pl), 'along the ditch to the heathen burials'. AD 939. Droxford (Hampshire). Boundary: hundred. S446 (Birch 742). R30.
41. east of ðære bricgge. 7lang dic oð ðone hæþenan byrgels (acc sg), 'east of the bridge. along [the] ditch to the heathen burial'. AD 944. Badby (Northamptonshire). Boundary: estate. S495 (Birch 792). R69.
42. to þon hæþenum byrgelsum (dat pl) æt þære ealdun dic, 'to the heathen burials at the old ditch'. AD 944 (for 942?). Blewbury (Berkshire). Boundary: estate. S496. (Birch 801). See also 128.
43. to þon æþænan byrigelsæ (dat sg), 'to the heathen burial'. AD 944. *Æscsbyrig* (Berkshire). Boundary: hundred. S503 (Birch 796). R31 and 54.
44. on þa ealdan dic. west and lang dic on þa hæþenan byrgylsas (acc pl), þonne east and lang wegæs, 'to the old ditch. west along [the] ditch to the heathen burials. then east along [the] way'. AD 945. Brightwell (Berkshire). Boundary: hundred. S517 (Birch 810). R45.
45. on þa dic. west and lang Dic of þa hæþenan byrigelsas (acc pl), 'to the ditch. west along [the] Ditch to the heathen burials'. AD 947. Brightwell (Berkshire). Boundary: hundred. S523 (Birch 830). R44.
46. to ðam hæþenum byrgelsum (dat pl), 'to the heathen burials'. AD 955. Chalke (Wiltshire). Boundary: hundred. S582 (Birch 917).
47. Ærest of þam æþenan byrgelsæ 7lang wegæs (dat sg), 'First from the heathen burial along [the] way'. AD 956. *Ellendune* (Wiltshire). Boundary: estate. S585 (Birch 948). See 56.
48. on ðone hæðenan byrgels (acc sg), 'to the heathen burial'. AD 956. Wilton (Wiltshire). Boundary: hundred. S586 (Birch 1030). R39.
49. on ðone hæþenan byrgels (acc sg), 'to the heathen burial'. AD 956. Bayworth (Berkshire). Boundary: estate. S590 (Birch 932). R50.
50. on ðone hæðenan byrgels (acc sg), 'to the heathen burial'. AD 956. Abingdon (Oxfordshire). Boundary: estate. S605 (Birch 924). R49.
51. on þa æþenam byrigelsas (acc pl), 'to the heathen burials'. AD 956. *Wudetune* (Staffordshire). Boundary: unknown. S608 (Birch 969).

52. on þone ealdan weg up to þan hæþenan byrgelse (dat sg), 'to the old way up to the heathen burial'. AD 957. Stanton St Bernard (Wiltshire). Boundary: estate. S647 (Birch 998). 1st of two. R59.
53. to þam hæþenan byrgelse (dat sg), 'to the heathen burial'. AD 957. Stanton St Bernard (Wiltshire). Boundary: estate. S647 (Birch 998). 2nd of two. R60.
54. up on þone æþænan byrigels (acc sg). þonon and lang þæs grænan weges, 'up to the heathen burial. then along the green way'. AD 958. *Æscsbyrig* (Berkshire). Boundary: hundred. S575 (Birch 902). R31 and 43.
55. on hæðennan byriels (acc sg), 'to [the] heathen burial'. AD 958. Cern (Berkshire). Boundary: hundred. S651 (Birch 1035).
56. to þan hæþnan byrgeles (acc sg) on þa ealdan dic, 'to the heathen burial at/to the old ditch'. AD 958–9. Longworth (Berkshire). Boundary: estate. S673 (Birch 1047). 1st of two.
57. to þa þorn stybbe æt Cingtuninga gemære, þonne to þan hæðenan byrgelese (dat sg), þonne on þa meardic, 'to the thorn stump at the boundary of the people of Kington, then to the heathen burial, then to the boundary ditch'. AD 958–9. Longworth (Berkshire). Boundary: hundred. S673 (Birch 1047). 2nd of two.
58. andlang mearce on þa hæþenan byrgenan (acc sg or pl), along [the] boundary to the heathen burial(s). AD 955–9. Bathingbourne (Isle of Wight). Boundary: unknown. S1662 (Birch 1024).
59. on þone ealdan weg up to þam hæþenan byrgelse (dat sg), 'to the old way up to the heathen burial'. AD 960. Stanton St Bernard (Wiltshire). Boundary: estate. S685 (Birch 1053). 1st of two. R52.
60. to þam hæþenan byrgelse (dat sg), 'to the heathen burial'. AD 960. Stanton St Bernard (Wiltshire). Boundary: estate. S685 (Birch 1053). 2nd of two. See 125. R53.
61. on þone hæþenan byrgels (acc sg), 'to the heathen burial'. AD 961. Ringwood (Hampshire). Boundary: hundred. S690 (Birch 1066).
62. 7lang dic to þam eþenan byrigelsan (dat pl). of þam æþenan byrigelsan (dat pl) and lang mearce, 'along [the] ditch to the heathen burials. from the heathen burials along [the] boundary'. AD 961. Easton (Hampshire). Boundary: hundred. S695 (Birch 1076). R63.
63. of þam herpaðe 7lang mearce to ðam hæþænan byrigelsan (dat pl), 'from the army road along [the] boundary to the heathen burials'. AD 961. Avington (Hampshire). Boundary: hundred. S699 (Birch 1068). R62.
64. of þam hæþnan birigelsan (dat pl) up 7lang dic innan mær wege, 'from the heathen burials up along [the] ditch inside boundary way'. AD 966. Newnham Murren (Oxfordshire). Boundary: estate. S738 (Birch 1176).
65. on þane hæþene berielese (acc sg), 'to the heathen burial'. AD 966. Up Piddle (Dorset). Boundary: estate. S744 (Birch 1186).
66. on þæt hæþene byrgils (acc sg, neut, 'to the heathen burial'. AD 972. Kennet (Wiltshire). Boundary: estate. S784 (Birch 1285).
67. swa on ðone hæðenan byrgels (acc sg). ðonan west on ða mearce þær ælfstan lið on hæðenan byrgels (acc sg), 'so to the heathen burial. then west to the boundary where Ælfstan lies in [a] heathen burial'. AD 973×74. Crondall (Hampshire). Boundary: estate. S820 (Birch 1307). See 117.

68. on þa heðenan byrgena (acc sg or pl), 'to the heathen burials'. AD 1003. Bengeworth (Worcestershire). Boundary: hundred. S1664 (Kemble 1299). R78.
69. andlang gemæres on þa hæþenan byrgelsas (acc pl). of ðam byrgelson (dat pl) andlang pæþes, 'along [the] boundary to the heathen burials. from the burials along [the] path'. AD 1021–3. Newnham (Northamptonshire). Boundary: estate. S977 (Kemble 736). R41.
70. swa on Ælgares hagan æt ðam heðenan byrigelsan (dat pl), 'so to Ælfgar's enclosure at the heathen burials'. AD 1046. Hoddington (Hampshire). Boundary: hundred. S1013 (Kemble 783).
71. up on icen hilde weg. on þæne hæðenan byriels (acc sg). of icen hilde wege innan þa cwealm stowe (acc sg), 'up to Icknield Way. to the heathen burial. from Icknield Way inside the killing-place'. AD 1047×70. Little Hinton (Wiltshire). Boundary: estate. S1588 (Birch 479).
72. on þonne heþenan byrgels (acc sg), 'to the heathen burial'. Undated. Oundle (Northamptonshire). Boundary: hundred. S1566 (Birch 1129).
73. innan þæne hæþenan byrgels (acc sg), 'inside the heathen burial'. Undated. Pyrton (Oxfordshire). Boundary: estate. S1568 (Hearne 1723, 71–2). R28.
74. to þam hæðenan byriggelse (dat sg), 'to the heathen burial'. Undated. Shipston-on-Stour (Worcestershire). Boundary: hundred. S1573 (Hearne 1723, 347).
75. quod appellatur holdedyche usque Budezet et ab eodem loco usque ad locum quod appellatur hetheneburieles (acc sg), 'from the place called [the] old ditch to [the] Gate and from that place to the place called heathen burial'. Undated. Dauntsey (Wiltshire). Boundary: estate. S1580 (Birch 458). 1st of two. See 120.
76. et ab eodem loco usque le Rigweye videlicet super le hetheneburieles (acc sg), 'and from that place to the Ridgeway above the heathen burial'. Undated. Dauntsey (Wiltshire). Boundary: estate. S1580 (Birch 458). 2nd of two. See 120.
77. et ab eodem usque le heðene buryels (acc sg), 'and from there to the heathen burial'. Undated. Rodbourne (Wiltshire). Boundary: hundred. S1587 (Kemble 632).
78. onlong hricgweges on ða æðenan byrielse (acc sg (?fem), 'along [the] Ridgeway to the heathen burial'. Undated. Twyford in Norton-and-Lenchwick (Worcestershire). Boundary: hundred. S1599 (Kemble 1368). See 123. R68.

MORþ, 'DEATH, DESTRUCTION, PERDITION' (B+T, 698)

79. 7lang herpaðes on wendan mære on morþ dic (acc sg), 'along [the] army road to Wendan's boundary to [the] murder ditch' AD 938. Rimpton (Somerset). Boundary: hundred. S441 (Birch 730).
80. on þæne greatan hlinec þonan on morð crundel (acc sg). of morð crundeles (dat sg) on þone bradan herpaþ, 'to the great lynchet whence to [the] murder quarry. from the murder quarry to the broad army road'. AD 968. Wilton (Wiltshire). Boundary: hundred. S767 (Birch 1216).
81. of ðære stræt in morþhlau (acc sg) of morþhlau (acc sg) on ðone fulan pyt, 'from the street on [the] murder barrow from [the] murder barrow to the foul pit'. AD 969. Kinton (Warwickshire). Boundary: hundred. S773 (Birch 1234).

SCEACERE, 'A ROBBER' (B+T, 820)

82. andlang sceacerdene (gen sg), 'along robber-valley'. AD 1004. Littlebury (Essex). Boundary: estate. S907 (Jenkyns unpublished).
83. of þan stapole (dat sg) stent innan scocera wege (dat sg), 'from the pillar ??? inside robber-way'. AD 1047–70. Little Hinton (Wiltshire). Boundary: estate. S1588 (Birch 479).

þEOF, 'A THIEF' (B+T, 1051)

84. Of cyrstel mæl ac (dat sg) in east ende teoue lege (dat sg), 'From [the] crucifix oak to the east and [to] thieves wood'. AD 770. Stoke Prior (Worcestershire). Boundary: estate. S60 (Birch 204).
85. on ðeofan dene (dat sg), 'to thieves' valley'. AD 852 for 842. Calmsden (Gloucestershire). Boundary: hundred. S202 (Birch 466).
86. bi southe of weofwelle (dat sg), 'by [the] south of thief spring'. AD 940. Langley (Wiltshire). Boundary: estate. S473 (Birch 751).
87. 7lang herepaþes on þiofa cumb (acc sg), 'along [the] army road to thieves' combe'. AD 961. Ringwood (Hampshire). Boundary: hundred. S690 (Birch 1066).
88. of þeofacumb (acc sg?) 7lang weges, 'from thieves' combe along [the] way'. AD 959–63. Meon (Hampshire). Boundary: hundred. S811 (Birch 1319).
89. andlang weges to þam þeof denne (dat sg), 'along [the] way to the thief-den'. AD 967. Bickmarsh and Ullington (Worcestershire). Boundary: hundred. S751 (Birch 1201).
90. on ðeofford (acc sg) 7 þannon on haligwylle, 'to thief ford and then to [the] holywell'. AD 970. Stoke (Suffolk). Not located. S781 (Birch 1269).
91. on þeofa ford (acc sg), 'to thieves' ford'. AD 977. Wyle (Wiltshire). Boundary: estate. S831 (Kemble 611).
92. þer ða þeofes licgan, 'where the thieves lie'. AD 1008. Rolleston (Staffordshire). Boundary: hundred. S920 (Shaw 1798, 29). R93.
93. þær þa ðeofes hangað, 'where the thieves hang'. AD 1012. Wetmoor (Staffordshire). Boundary: hundred. S930 (Shaw 1798, 20). R92.
94. to þeofa dene (acc or dat sg), 'to thieves' valley'. AD 816 (Bounds 11th cent.). Hawling (Gloucestershire). Boundary: hundred. S179 (Birch 356).
95. on þeoua dene (acc or dat sg), 'to thieves valley'. Undated. Twyford in Norton and Lenchwick (Worcestershire). Boundary: hundred. S1599 (Kemble 1368).

WEARG, 'A VILLAIN, FELON, SCOUNDREL' (B+T, 1177)

96. on brugh doune on warrode þanen on windberghes (acc or dat sg), 'to ?brow hill to felon's gallows to ?windbarrows'. AD 891. Buckland Newton (Dorset). Boundary: hundred. S347 (Birch 564).
97. of ðam beorge norð to wearge dune (acc or dat sg). betweox þa lytlan twegen beorgas, 'from the barrow north to felon hill. between the two little barrows'. AD 944. Badby (Northamptonshire). Not solved. S495 (Birch 792). R108.

98. of þam þorne on þa wærhroda (acc pl), 'from the thorn to the felon's gallows'. AD 956. Bleadon (Somerset). Boundary: hundred. S606 (Birch 959). R102.
99. þonon on þa wearh roda (acc pl) on wodnes dic, 'then on to the felon's gallows on Woden's dyke'. AD 957. Stanton St Bernard (Wiltshire). Boundary: hundred. S647 (Birch 998). R100.
100. þonon on þa wearh rode (acc sg). on wodnes dic, 'then on to the felon's gallow on Woden's dyke'. AD 960. Stanton St Bernard (Wiltshire). Boundary: hundred. S685 (Birch 1053). R99.
101. ðonan wulfstanes mearce æt weargeburnan (dat sg), 'then [to] Wulfstan's boundary at felon's stream [Warnborough]'. AD 973 × 4. Crondall (Hampshire). Boundary: hundred. S820 (Birch 1307).
102. de Geynesthorpe usque wargrode. de wargrode usque loxanwode wargtreen, 'from Geyne's thorn to felon's gallows. from felon's gallows to lynxwood felon-tree'. AD 975. Bleadon (Somerset). Boundary: hundred. S804 (Birch 1313). R98.
103. þonan west andlang weges to þam wearhbeorge (dat sg), 'then west along [the] ways to the felon barrow'. AD 995. Littlebrook (Kent). Boundary: estate. S885 (Campbell 1973, 41).
104. on wearra ford (acc sg), swa 7lang mores oð þene bradan herepað, 'to felon ford, so along [by the] marsh to the broad army road'. AD 1002. Little Haseley (Oxfordshire). Boundary: Not solved. S902 (Kemble 1296).
105. eft to Watlinga stræte, andlang strate to þare ealdan werhrode (dat sg), þanan to þas ealder mannes ge mære, 'once again to Watling Street, along [the] street to the old felon's gallows. then to the ealdorman's boundary'. AD 1002. Tyburn (Middlesex). Boundary: hundred. S903 (Armitage Robinson 1911, 167–8).
106. ðæt up on weargeburninga gemæra, 'then up to the boundary of the people of Warnborough ("felons' stream")'. AD 1046. Hoddington (Hampshire). Boundary: hundred. S1013 (Kemble 783).
107. Siþe to þe Waritroe (dat sg), 'Afterwards to the felon's tree'. Bounds 11th or 12th cent. Childs Wickham (Worcestershire). Boundary: hundred. S1174 (Birch 117).
108. Of ðam stocce to wearge dune (dat sg) betweone ðe twege beorges, 'From the stake/tree-trunk/pollard to felon's hill between the two barrows'. Undated. Badby (Northamptonshire). Not solved. S1565 (Kemble 1356). R97.

NAMED INDIVIDUALS

109. Byrnærdes byrielse (dat sg). AD 693 (11th cent.). Battersea (Surrey). Boundary: estate. S1248 (Birch 82). R114.
110. Beahhildæ byrigels (acc sg). AD 856. *Æscsbyrig* (Berkshire). Boundary: estate. S317 (Birch 491). R112.
111. Fridan byrgilis (acc sg). AD 901. Chiseldon (Wiltshire). Boundary: estate. S366 (Birch 598).
112. Beaghildæ byrigels (acc sg). AD 944. *Æscsbyrig* (Berkshire). Boundary: estate. S503 (Birch 796). R110.
113. Ealhæræs byrgelse (dat sg). AD 956. *Ellendune* (Wiltshire). Boundary: hundred. S585 (Birch 948). See 47.

114. Bernardes byrieles (acc sg). AD 957. Battersea (Surrey). Boundary: estate. S645 (Birch 994). R109.
115. Tatemannes beorgelese (dat sg). AD 963. Washington (Sussex). Boundary: estate. S714 (Birch 125).
116. Hoces byrgels (acc sg). AD 968. Bedwyn (Wiltshire). Boundary: estate. S756 (Birch 1213).
117. þær Ælfstan lið on hæðenan byrgels (acc sg). AD 973 × 4. Crondall (Hampshire). Boundary: hundred. S820 (Birch 1307). See 67.
118. Wures byrgylse (dat sg). AD 975. Fyfield (Hampshire). Boundary: estate. S800 (Birch 1316).
119. Scobban byrgels (acc sg). AD 990. Wootton St Lawrence (Hampshire). Boundary: hundred. S874 (Kemble 673).
120. Strenges buriels (acc sg). Undated. Dauntsey (Wiltshire). Boundary: estate. S1580 (Birch 458). Separate burial in same bounds as 75 and 76.
121. Eallistanes byrigels (acc sg). Undated. Evesham (Worcestershire). Boundary: hundred. S1591a (Kemble iii, 395–6). R123.
122. Ealhmundes byrigenne (dat sg). Undated. Tardebigge (Worcestershire). Boundary: estate. S1598 (Hearne 1723, 362).
123. Ælfstanes byriels (acc sg). Undated. Twyford in Norton-and-Lenchwick (Worcestershire). Boundary: hundred. S1599 (Kemble 1368). Separate burial in same bounds as 78. R121.

UNSPECIFIED CEMETERIES AND BURIAL PLACES

124. to þam byrgelsan (dat pl), ‘to the burial’. AD 775 (for *c.* 705 × 17; Bounds 10th cent.). ?Preston or East/West Dean (Sussex). Boundary: unknown. S43 (Birch 144).
125. to þare burgilsan (dat sg (fem)), ‘to the burial’. AD 903. Stanton St Bernard (Wiltshire). Boundary: estate. S368 (Birch 600). Equates to 60.
126. þonne on þa byrgelsas (acc pl). þonne suþ andlang weges, ‘then to the burials. then south along [the] way’. AD 939. East Overton (Wiltshire). Boundary: unknown. S449 (Birch 734).
127. swa on þa byrgelsas (acc pl), ‘so to the burials’. AD 943. Burghclere (Hampshire). Boundary: hundred. S487 (Birch 787).
128. on þone byrgeles (acc sg), ‘to the burial’. AD 944, for 942? Blewbury (Berkshire). Boundary: hundred. S496 (Birch 801). Separate burial in same bounds as 42.
129. þonon 7lang weges on þa byrgelsas (acc pl), ‘then along [the] way to the burials’. AD 951. Chieveley (Berkshire). Boundary: estate. S558 (Birch 892).

MISCELLANEOUS

130. on ceorles hlæwe (dat sg), ‘to [the] ceorl’s barrow’. AD 948. Downton (Wiltshire). Not solved. S540 (Birch 862).

131. þonne forð oð ðat hit cymð þar mon þane chiorl sloh for þan buccan, 'then forth until it cometh to the place where the ceorl [was] slain because of the goat'. AD 955. Chalke (Wiltshire). Boundary: hundred. S582 (Birch 917).
132. of æcenes felda ðær ða cnihtas licgað, 'from Æcenes field to where the young men lie'. AD 1044. Witney (Oxfordshire). Boundary: hundred. S1001 (Kemble 775).

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